FAYETTEVILLE OBSERVER.

H.] FAYETTEVILLE, N. C. TUESDAY EVENING, APRIL 9, 1833. [NO. 827.

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ENTS inserted for sixty cents
e first, & thirty cents for each
tion. Advertisers are request-
mber of insertions desired, or
tinued till forbid, and charged

Editor must be post paid.

CAL AND INSTRUMENTAL
MUSIC.
respectfully informs the citizens
that he is desirous of commenc-
DOL, in which lessons on the
ts will be taught—viz.
ar, Piano, Violencello, French
arionette.
h VOCAL MUSIC, Church or
o may be desirous of improving
pleasing accomplishment.
ers may be found at his lodg-
's Hotel.

and repaired in the best man-

uba COFFEE.
gio and Cuba COFFEE, just
Steamer Henrietta, for sale by
W. WHITEHEAD.
126 f]

llars Reward.
n the Subscriber, near Spring-
d County, North Carolina, some
ast, a Negro Boy named WIL-
rs of age, near 5 feet high, has
ar, occasioned by a rising. The
be paid for the delivery of said
iber, or secured in any jail so

GEORGE BULLARD.
26-3w.

t of Lands,
xes, on Tuesday, the 7th day

on Stoney Run, the pro-
n Johnson, $ 43
reek, Green Bobbit's, 43
South East corner of
quare, Ann Salmon for
in for 1831, 9 96
f Hay Street, William
5 50
eet, Elizabeth Burkloe's,
831, 70
Richardson, joining McAl-
and 1831, 11 64
rk, West side Cape Fear, 6 22
JOHN BLACK,
Sheriff of Cumberland County.
6-ts.

nary Pensioners.
gives notice that he is willing
ed to act as ATTORNEY for
Pensioners as may find it incon-
personally at the Bank of the
Fayetteville, to draw their Pen
remit their money to whoever
by mail or otherwise, but always
will also attend to the renewal
of the Banks in this place, for
ay think proper to employ him,
terms, but remittances of money
the risk of the persons employ
ers addressed to him on these
t paid Forms of the Power
essary to draw Pensions will
ed for, by
DUNCAN MAC RAE.
18, 1833. 20 tow 6w
the different newspapers in
haps confer a favor on the old
them this information

nt Reward,
NO EXPENSES.
the Subscriber, about the 4th
nted apprentice Girl, named
ERA, supposed to be about 17
ve the above reward for her
persons are forewarned from
ing said Runaway under the
by law.
CHLOE AUTERY.
ty, *March* 15 25 3t

ackerel.
2 and 3 late fall caught Mack-
le by
AMOS KIMBALL.
22tf.

Wanted,
Tan Yard, several hundred
BARK. The highest market
given
KYLE & BOWMAN.
19-3m

Molasses, &c.
BY STEAM BOAT HENRIETTA,
crop MOLASSES,
a Coffee,
Cider, For sale by
THOS. SANDFORD & CO.
17tf.

ents Reward,
NKS, OR EXPENSES PAID.
on Friday night, March 8, 1833,
pprentice named John Faircloth,
yment *without the least provoca-*
ably enticed by some of his as-
ployment, and have made their
ct S. C. The said boy had on
pair of Brogan Shoes, a fur hat
coat and pantaloons and vest,
at coat.
GEO. W. McDONALD.
19. 24 4w

Summer Pumps.
en's Summer Pumps with tu
ust received for sale, corner of
Gillespie street, by
L. R BRADLEY
24tf

and Coffee.
by Steamboat John Walker.
UGAR,
prime Coffee,
sale by
THOS. SANDFORD & CO.

FOR SALE, at Wilmington,
400 sacks of 4½ bushels each of Liverpool SALT,
6000 bushels Turks Island Salt,
25 hhds. Porto Rico Sugar,
10 ditto, New Orleans,
80 ditto, Martinique Molasses, very good,
25 bbls. 4th proof Monongohela Spirits,
100 bags Cuba Coffee,
100 kegs White Lead.
LAZARUS & WHITMARSH.
January 11, 1833. 15 *tf.*

Soap.
50 BOXES No. 1. bar *SOAP*, just received pr Steamer John Walker, for sale by
A. KIMBALL.
January 28 17-tf

Shoes, &c.
50 Cases, comprising a general assortment of SHOES, well worthy the attention of Country Merchants, received per Steamer Jno Walker.
AMOS KIMBALL.
January 28. 17tf.

Notice.
THE undersigned having sold his Stock of Goods to Mr. Wm. D. Clark, together with the remainder of the term of rent for his stand, those having claims against the undersigned will please present them for settlement, and those indebted to him will be good enough to call and settle the same. He will be found, during business hours, at the Counting Room of Mr. Clark.
A W. HORTON.
Fayetteville, February 25, 1833. 22tf.

WM. D. CLARK,
LATE from Virginia, having purchased the entire Stock of GOODS of Mr. A W. Horton, will continue to transact a Dry Goods and Grocery Business, at the same stand and flatters himself with the hope of having it in his power to give entire satisfaction to those who may favor him with their custom. In a short time he will receive a general supply of the various descriptions of Goods in the above line. He will also purchase and barter for all kinds of Country Produce, &c
Mr A W Horton will attend to and transact my business during my absence.
WM. D CLARK
Fayetteville February 25 22tf

Cape Fear Navigation Company.
DIVIDEND NUMBER 9.
NOTICE is hereby given, That a Dividend of two per cent., or one Dollar per Share, on the Capital Stock of said Company, will be paid at the Office of the Treasurer, on the 10th of April next.
GEO McNEILL, Agent and Treasurer.
Fayetteville, March 19, 1833. 24tf

NEW SPRING GOODS.
THE Subscriber is now receiving his Spring supply of FANCY DRY GOODS, &c. direct from New York and Philadelphia, which he offers for sale at his usual low prices for cash.
H. CAMPBELL, Jr.
Fayetteville, Feb. 26. 24tf.

Beef.
A FEW half Barrels *MESS BEEF*, put up expressly for family use, for sale by
A. KIMBALL.

Nails.
Just received from the Boston Iron Company,
100 kegs NAILS, assorted, from 4d to 20d.
For sale by
THO. SANDFORD & CO.
February 19. 20tf

Sugar, &c.
300 Bbls. SUGAR,
5 ditto SHELL BARKS,
15 ditto CIDER,
Just received and for sale by
THO SANDFORD & CO.

CHEAP PAPER,
For sale at the Fayetteville Book Store.

On Consignment,
25 Hhds prime retailing Molasses, (new crop)
70 Bbls. Thomastown Lime,
25 bags Coffee,
50 boxes smoked Herrings,
For sale low for cash, by
DAN. SUTHERLAND.
February 11, 1833. 19tf.

The Subscribers
OFFER for sale on the most favorable terms, at No. 250, *Water Street, New York,* the following assortment of GOODS:
4000 Casks cut NAILS, assorted, from 2d to 6d.
500 casks cut Brads, assorted, from 6d. to 20d.
200 do do Spikes, do do 3 to 6 inch.
100 bags fine English wrought Nails, assorted
300 tons eastern hollow Ware, made from Scotch patterns, and comprising a beautiful assortment for the *SOUTHERN MARKETS*
200 setts "Squire's" superior Cart and Wagon Boxes,
200 boxes cut Tacks, assorted,
150 do do Brads, do
100 do do Sparables, do
500 doz. back strap Shovels and Spades of different kinds,
500 do cast steel Axes, of different makes, patterns and prices,
100 do Coffee Mills—together with Plough
Moulds, Nail Rods, Hoop Iron, Sheet Iron, Sad Irons, &c. &c.
TISDALE & RICHMOND,
Manufacturer's Agents.
New York, Feb. 15. 22 6w.

Vinegar.
10 Bbls. prime cider VINEGAR, just received per Steam Boat and for sale by
AMOS KIMBALL.
March 26. 25tf.

JUST RECEIVED,
By Steamboat Henrietta.
50 Bags Prime Coffee, for sale by
THOS. SANDFORD & Co.
March 25.

Wrapping Paper.
100 reams Wrapping Paper, just received on consignmen and for sale low, South West corner of Market square and Gillespie street, by
L. R. BRADLEY.
March 15 24tf.

BLANKS
FOR SALE AT THIS OFFICE.

JEREMIAH KYLE, Jr.
HAVING purchased the entire stock of GOODS of James Kyle, intends to continue the
Dry Goods,
Hardware & Grocery
Business, at the old Stand formerly occupied by James Kyle; where he will be receiving new Goods by every arrival from New York and Philadelphia. The former customers of James Kyle, and all others wishing to purchase Goods by *WHOLESALE* or *RETAIL*, will please call and examine for themselves.
March 25, 1833.

SUGAR, COFFEE, &C.
Just received per Steamer Jno. Walker.
20 Hhds. N. O. and Porto Rico SUGAR,
50 bags Rio and Laguira Coffee,
20 barrels N. E Rum,
20 do. unslacked Lime.
WILLKINGS & CO.
March 25, 1833. 25-tf.

BONNETS.
AN assortment of Ladies' and Misses' BONNETS, plain and figured, just received and for sale corner of Market Square and Gillespie street, by
L. R. BRADLEY.
March 12, 1833. 23tf

Cheese, &c.
10 Casks prime CHEESE,
1 hhd Shell Barks,
30 boxes Herring,
Writing and Letter Paper,
Just received and for sale by
THO. SANDFORD & CO.
February 11 19-tf.

NEW STORE—NEW GOODS,
Cheap for Cash.
THE Subscriber begs leave to inform his frends and the public generally, that he has taken that old and well known Stand lately occupied by Mr. H L. Jones, at the corner of Market Square and Gillespie street, where may be found at all times, a general and well selected Stock of
Boots and Shoes,
Fresh and direct from the Manufactories, consisting of Ladies' and Gentlemen's, Boys', Misses' and Children's Boots and Shoes of all kinds, selected particularly for the town trade, where Ladies and Gentlemen are respectfully invited to call and examine for themselves. Country Merchants would also do well to call and examine before purchasing, as my Stock is all fresh and good, and prices much reduced By strict attention to business, he hopes to merit a share of public patronage. My Stock consists in part, of the following viz.
Ladies fine prunella and seal skin Slips, seal skin Bootees, Morocco Bootees and walking Shoes, Misses' seal skin Bootees and Shoes.
Men's stout pegged Brogans,
Ditto ditto sewed ditto.
Ditto ditto ditto Shoes,
Ditto ditto pegged ditto,
Ditto fine calf sewed ditto,
Ditto ditto do do Shoetees,
Ditto fine calf sewed Boots,
Ditto ditto nailed ditto,
Ditto stout pegged ditto,
HATS—Men's and boys fine and wool Hats,
ALSO, an assortment of traveling Trunks & Bags,
FISH—A few boxes prime Cod Fish,
SOAP—50 boxes No. 1 bar Soap, a prime article,
A few boxes perfumed shaving ditto,
CARDS—Whittemore's No. 10 cotton Cards, and No. 6 wool,
ALSO, writing and letter Paper.
L. R. BRADLEY.
Fayetteville, March 4. 22tf.

☞ There is to be a Baptist Camp Meeting held at New Union Meeting House, six miles Southeast of Lawrenceville, in Montgomery County, to commence on Thursday night before the second Lord's Day in May next.

The Judiciary Bill.

IN SENATE, FEBRUARY 16, 1833.

Mr. WEBSTER's Speech concluded.

The Constitution says, regards itself as perpetual and immortal. It seeks to establish a union among the people of the States, which shall last through all time. Or, if the common fate of things human must be expected, at some period, to happen to it, yet that catastrophe is not anticipated

The instrument contains ample provisions for its amendment, at all times; none for its abandonment, at any time. It declares that new States may come into the Union, but it does not declare that old States may go out. The Union is not a temporary partnership of States. It is the association of the people, under a constitution of Government, uniting their power, joining together their highest interests, cementing their present enjoyments, and blending, in one indivisible mass, all their hopes for the future. Whatsoever is steadfast in just political principles—whatsoever is permanent in the structure of human society—whatsoever there is which can derive an enduring character from being founded on deep laid principles of constitutional liberty, and on the broad foundations of the public will, all these unite to entitle this instrument to be regarded as a permanent constitution of Government.

In the next place, Mr President, I contend that there is a supreme law of the land, consisting of the constitution, acts of Congress passed in pursuance of it, and the public treaties. This will not be denied, because such are the very words of the constitution. But I contend further, that it rightfully belongs to Congress, and to the courts of the U. States, to settle the construction of this supreme law, in doubtful cases. This is denied; and here arises the great practical question, Who is to construe finally the constitution of the United States? We all agree that the constitution is the supreme law; but who shall interpret that law? In our system of the division of powers between different Governments, controversies will necessarily sometimes arise, respecting the extent of the powers of each. Who shall decide these controversies? Does it rest with the General Government, in all or any of its departments, to exercise the office of final interpreter? Or may each of the States, as well as the General Government, claim this right of ultimate decision? The practical result of this whole debate turns on this point. The gentleman contends that each State may judge for itself of any alleged violation of the constitution, and may finally decide for itself, and may execute its own decisions by its own power. All the recent proceedings in S. Carolina are founded on this claim of right. Her convention has pronounced the revenue laws of the U. States unconstitutional; and this decision she does not allow any authority of the U. States to overrule or reverse. Of course she rejects the authority of Congress, because the very object of the ordinance is to reverse the decision of Congress; and she rejects, too, the authority of the courts of the U. States, because she expressly prohibits all appeal to those courts. It is in order to sustain this asserted right of being her own judge, that she pronounces the constitution of the U. States to be but a compact, to which she is a party, and a sovereign party. If this be established, then the inference is supposed to follow, that, being sovereign, there is no power to control her decision, and her own judgment on her own compact is and must be conclusive.

I have already endeavored, sir, to point out the practical consequences of this doctrine, and to show how utterly inconsistent it is, with all ideas of regular government, and how soon its adoption would involve the whole country in revolution and absolute anarchy. I hope it is easy now to show, sir, that a doctrine, bringing such consequences with it, is not well founded; that it has nothing to stand on but theory and assumption; and that it is refuted by plain and express constitutional provisions. I think the Government of the U. States does possess, in its appropriate departments, the authority of final decision on questions of disputed power. I think it possesses this authority, both by necessary implication, and by express grant.

It will not be denied, sir, that this authority naturally belongs to all Governments. They all exercise it from necessity, and as a consequence of the exercise of other powers. The State Governments themselves possess it, except in that class of questions may arise between them and the General Government, and in regard to which they have surrendered it, as well by the nature of the case, as by clear constitutional provisions. In other and ordinary cases, whether a particular law be in conformity to the constitution of the State, is a question which the State Legislature or the State Judiciary must determine. We all know that these questions arise daily in the State Governments, and are decided by those Governments; and I know no Government which does not exercise a similar power.

Upon general principles, then, the Government of the U. States possesses this authority; and this would hardly be denied, were it not that there are other Governments. But since there are State Governments, and since these, like other Governments, ordinarily construe their own powers, if the Government of the U. States construes its own powers also, which construction is to prevail, in the case of opposite constructions? And again, as in the case now actually before us, the State Governments may undertake, not only to construe their own powers, but to decide directly on the extent of the powers of Congress. Congress has passed a law as being within its just powers; So. Carolina denies that this law is within its just powers, and insists that she has the right to decide this point, and that her decision is final. How are these questions to be settled?

In my opinion sir, even if the constitution of the U. States had made express provision for such cases, it would yet be difficult to maintain that, in a constitution existing over four and twenty States, with equal authority over all, *one* could claim a right of construing it for the whole. This would seem a manifest impropriety—indeed, an absurdity. If the constitution is a government existing over all the States, though with limited powers, it necessarily follows that, to the extent of those powers, it must be supreme. If it be not superior to the authority of a particular State, it is not a national Government. But it is a Government, as it has a legislative power of its own, and a judicial power co-extensive with the legislative, the inference is irresistible, that this Government, thus created *by* the whole, and *for* the whole, must have an authority superior to that of the particular Government of any one part. Congress is the Legislature of all the people of the U. States; the Judiciary of the General Government is the Judiciary of all the people of the U. States. To hold, therefore, that this Legislature and this Judiciary are subordinate in authority to the Legislature and Judiciary of a single State, is doing violence to all common sense, and overturning all established principles. Congress must judge of the extent of its own powers so often as it is called on to exercise them, or it cannot act at all; and it must also act independent of State control, or it cannot act at all.

The right of State interposition strikes at the very foundation of the legislative power of Congress. It possesses no effective legislative power, if such right of State interposition exists; because it can pass no law not subject to abrogation. It cannot make laws for the Union, if any part of the Union may pronounce its enactments void and of no effect. It forms of legislation would be an idle ceremony, if, after all, any one of four and twenty States might bid defiance to its authority. Without express provision in the constitution, therefore, sir, this whole question is necessarily decided by those provisions which create a legislative power and a judicial power. If these exist, in a Government intended for the whole, the inevitable consequence is, that the laws of this legislative power, and the decisions of this judicial power, must be binding on and over the whole. No man can form the conception of a Government existing over four and twenty States, with a regular legislative and judicial power, and of the existence, at the same time, of an authority, residing elsewhere, to resist, at pleasure or discretion, the enactments and the decisions of such a Government. I maintain, therefore, sir, that, from the nature of the case, and as an inference wholly unavoidable, the acts of Congress, and the decisions of the national courts, must be of higher authority than State laws and State decisions. If this be not so, there is, there can be, no General Government.

But, Mr. President, the constitution has not left this cardinal point without full and explicit provisions. First, as to the authority of Congress.—Having enumerated the specific powers conferred on Congress, the constitution adds, as a distinct and substantial clause, the following, viz: "To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the Government of the U. States, or in any department or officer thereof." If this means any thing, it means that Congress may judge of the true extent and just interpretation of the specific powers granted to it; and may judge also of what is necessary and proper for executing those powers. If Congress is to judge of what is necessary for the execution of its powers, it must, of necessity, judge of the extent and interpretation of those powers.

And in regard, sir, to the judiciary, the constitution is still more express and emphatic. It declares that the judicial powers shall extend to all cases in law or equity arising under the Constitution, laws of the U. States, and treaties; that there shall be one Supreme Court, and that this Supreme Court shall have appellate jurisdiction of all these cases, subject to such exceptions as Congress may make. It is impossible to escape from the generality of these words. If a case arises under the Constitution, that is, if a case arises depending on the construction of the Constitution, the judicial power of the U. States extends to it. It reaches the case, the question; it attaches the power of the national judicature to the case itself, in whatever court it may arise or exist; and in this case the Supreme Court has appellate jurisdiction over all courts whatever. No language could provide with more effect and precision, than is here done, for subjecting constitutional questions to the ultimate decision of the Supreme Court.—And, sir, this is exactly what the Convention found it necessary to provide for, and intended to provide for. It is, too, exactly what the people were universally told was done when they adopted the Constitution. One of the first resolutions adopted by the Convention was in these words, viz: "that the jurisdiction of the national judiciary shall extend to cases which respect the collection of the national revenue, and questions which involve the national peace and harmony." Now, sir, this either had no sensible meaning at all, or else it meant that the jurisdiction of the national judiciary should extend to these questions with a paramount authority. It is not to be supposed that the Convention intended that the power of the national judiciary should extend to these questions, and that the judicatures of the States should also extend to them, with equal power of final decision. This would be to defeat the whole object of the provision. There were thirteen judicatures already in existence. The evil complained of, or the danger to be guarded against, was contradiction and repugnance in the decisions of these judicatures. If the framers of the constitution meant to create a fourteenth, and yet not to give it power to revise and control the decisions of the existing thirteen, then they only intended to augment the existing evil, and the apprehended danger, by increasing, still further, the chances of discordant judgments. Why sir, has it become a settled axiom in politics, that every Government must have a judicial power co extensive with its legislative power? Certainly, there is only this reason, viz: that the laws may receive a uniform interpretation, and a uniform execution. This object can be no otherwise attained. A statute is what it is judiciously interpreted to be; and if it be construed one way in N. Hampshire, and another way in Georgia, there is no uniform law. One Supreme Court with appellate and final jurisdiction, is the natural and only adequate means, in any Government, to secure this uniformity.

The convention saw all this clearly; and the resolution which I have quoted, never afterwards rescinded, passed through various modifications, till it finally received the form which the article now wears in the constitution. It is undeniably true, then, that the framers of the constitution intended to create a national judicial power, which should be permanent, on national subjects. And after the constitution was framed, and while the whole country was engaged in discussing its merits, one of its most distinguished advocates, [Mr. Madison,] told the people that it was true that, in controversies relating to the boundary between the two jurisdictions, the tribunal which is ultimately to decide is to be established under the General Government. Mr. Martin, who had been a member of the convention, asserted the same thing to the Legislature of Maryland, and urged it as a reason for rejecting the constitution. Mr Pinckney, himself also a leading member of the convention, declared it to the people of South Carolina. Every where, it was admitted, by friends and foes, that this power was in the constitution. By some it was thought dangerous, by most it was thought necessary: but, by all, it was agreed to be a power actually contained in the instrument. The convention saw the absolute necessity of some control in the National Government over State laws. Different modes of establishing this control were suggested and considered. At one time it was proposed that the laws of the States should from time to time, be laid before Congress, and that Congress should possess a negative over them.—But this was thought inexpedient and inadmissible; and in its place, and expressly as a substitute for it, the existing provision was introduced: that is to say, a provision by which the federal courts should have authority to overrule such State laws as might be in manifest contravention of the constitution. The writers of the Federalist, in explaining the Constitution, while it was yet pending before the people, and still unadopted, give this account of the matter in terms, and assign this reason for the article as it now stands. By this provision Congress escaped from the necessity of any revision of State laws, left the whole sphere of State legislation quite untouched, and yet obtained a security against any infringement of the constitutional power of the General Government. Indeed, sir, allow me to ask again, if the national judiciary was not to exercise a power of revision, on constitutional questions, over the judicatures of the States, why was any national judicature erected at all? Can any man give a sensible reason for having a judicial power in this Government, unless it be for the sake of maintaining a uniformity of decision, on questions arising under the Constitution and laws of Congress, and ensuring its execution? And does not this very idea of uniformity necessarily imply that the construction given by the national courts is to be the prevailing construction? How else, sir, is it possible that uniformity can be preserved?

Gentlemen appear to me, sir, to look at but one side of the question. They regard only the supposed danger of trusting a Government with the interpretation of its own powers. But will they view the question in its other aspect; will they show how it is possible for a Government to get along with four and twenty interpreters of its laws and powers? Gentlemen argue, too, as if, in these cases, the State would be always right, and the General Government always wrong. But, suppose the reverse; suppose the State wrong, and, since they differ, some of them must be wrong, are the most essential operations of the Government to be embarrassed and arrested, because one State holds a contrary opinion? Mr. President, every argument which refers the constitutionality of acts of Congress to State decision, appeals from the majority to the minority; it appeals from the common interest to a particular interest; from the councils of all to the council of one; and endeavors to supersede the judgment of the whole by the judgment of a part.

I think it is clear, sir, that the Constitution, by express provision, by definite and unequivocal words, as well as by necessary implication, has constituted the Supreme Court of the U. S. the appellate tribunal in all cases of a constitutional nature which assume the shape of a suit, in law or equity. And I think I cannot do better than to leave this part of the subject by reading the remarks made upon it by Mr. Ellsworth, in the Convention of Connecticut; a gentleman, sir, who has left behind him, on the records of the Government of his country, proofs of the clearest intelligence and the deepest sagacity, as well as of the utmost purity and integrity of character. "This Constitution," says he, "defines the extent of the powers of the General Government.—If the General Legislature should, at any time, overleap their limits, the judicial department is a constitutional check. If the U States go beyond their powers; if they make a law which the Constitution does not authorize, it is void; and the judiciary power, the national judges, who, to secure their impartiality, are to be made independent, will declare it to be void. On the other hand, if the States go beyond their limits; if they make a law which is an usurpation upon the General Government, the law is void, and upright, independent judges, will declare it to be so."

And let me only add, sir, that in the very first session of the first Congress, with all their well known objects, both of the Convention and the people, full and fresh in his mind, Mr. Ellsworth reported the bill, as is generally understood, for the organization of the judicial department, and, in that bill, made provision for the exercise of this appellate power of the Supreme Court, in all the proper cases, in whatsoever court arising; and that this appellate power has now been exercised for more than forty years, without interruption and without doubt.

As to the cases sir, which do not come before the courts; those political questions which terminate with the enactments of Congress, it is of necessity that these should be ultimately decided by Congress itself. Like other legislatures, it must be trusted with this power. The members of Congress are chosen by the people, and they are answerable to the people; like other public agents, they are bound by oath to support the Constitution. These are the securities that they will not violate their duty, nor transcend their powers. They are the same securities as prevail in other popular governments; nor is it easy to see how grants of power can be more safely guarded, without rendering them nugatory. If the case cannot come before the courts, and if Congress be not trusted with its decision, who shall decide it? The gentleman says each State is to decide it for herself. If so, then as I have already urged, what is law in one State is not law in the other. Or, if the resistance of one State compels an entire repeal of the law, then a minority, and that a small one, governs the whole country.

Sir, those who espouse the doctrines of nullification, reject, as it seems to me, the first great principle of all republican liberty, that is, that the majority must govern. In matters of common concern, the judgment of a majority must stand as the judgment of the whole. This is a law imposed on us by the absolute necessity of the case; and if we do not act upon it, there is no possibility of maintaining any Government but despotism. We hear loud and repeated denunciations against what is called *majority government.* It is declared, with warmth, that the majority government cannot be maintained in the U. S. What, then, do gentlemen wish? Do they wish to establish a minority government? Do they wish to subject the will of the many to the will of the few? The honorable gentleman from S. Carolina has spoken of absolute majorities, and majorities concurrent; language wholly unknown to our Constitution, and to which it is not easy to affix definite ideas. As far as I understand it, it would teach us that the absolute majority may be found in Congress, but the majority concurrent must be looked for in the States. That is to say, sir, stripping the matter of this novelty of phrase, that the dissent of one or more States as States, renders void the decision of a majority of Congress, so far as that State is concerned. And so this doctrine, running but a short career, like other dogmas of the day, terminates in nullification.

If this vehement invective against majorities meant no more than that, in the construction of governmen, it is wise to provide checks and balances, so that there would be various limitations on the power of the mere majority, it would only mean what the Constitution of the U. S. has already abundantly provided. It is full of such checks and balances. In its very organization, it adopts a broad and most effectual principle in restraint of the power of mere majorities. A majority of the people elects the House of Representatives, but it does not elect the Senate. The Senate is elected by the States, each State having, in this respect an equal power. No law, therefore, can pass without the assent of a majority of the Representatives of the people, and a majority of the Representatives of the States also.—A majority of the Representatives of the people must concur, and a majority of the States must concur, in every act of Congress; and the President is elected on a plan compounded of both these principles.

But having composed one House of Representatives chosen by the people in each State, according to its numbers, and the other of an equal number of members from every State, whether larger or smaller, the Constitution gives to majorities in these Houses, thus constituted, the full and entire power of passing laws, subject always to the constitutional restrictions, and to the approval of the President.—To subject them to any other power is clear usurpation. The majority of one house may be controlled by the majority of the other, and both may be restrained by the President's negative. These are checks and balances provided by the Constitution, existing in the Government itself, and wisely intended to secure deliberation and caution in legislative proceedings. But to resist the will of the majority in both Houses, thus constitutionally exercised; to insist on the lawfulness of interposition by an extraneous power; to claim the right of defeating the will of Congress, by setting up against it the will of a single State, is neither more nor less, as it strikes me, than an attempt to overthrow the Government. The constituted authorities of the U. S. are no longer a Government, if they be not masters of their own will; they are no longer a Government, if an external power may arrest their proceedings; they are no longer a Government, if acts passed by both Houses, and approved by the President, may be nullified by State vetoes or State ordinances. Does any one suppose it could make any difference as to the binding authority of an act of Congress, and of the duty of a state to respect it, whether it passed by a mere majority of both Houses, or by three fourths of each, or the unanimous vote of each? Within the limits and restrictions of the Constitution, the Government of the U. S., like all other popular Governments, acts by majorities. It can act no otherwise. Whoever, therefore, denounces the Government of majorities, denounces the Government of his own country, and denounces all free Governments. And whoever would restrain these majorities, while acting within their constitutional limits, by an external power, whatever he may intend, asserts principles which, if adopted, can lead to nothing else than the destruction of the Government itself.

Does not the gentleman perceive, sir, how his argument against majorities might here be retorted upon him? Does he not see how cogently he might be asked, whether it be the character of nullification to practise what it preaches? Look to S. Carolina at the present moment. How far are the rights of minorities there respected? I confess, sir, I have not known, in peaceable times, the power of the majority carried with a higher hand, or upheld with more relentless disregard of the rights, feelings, and principles of the minority: a minority embracing, as the gentleman himself will admit, a large portion of the worth and respectability of the state; a minority, comprehending, in its numbers, men who have been as-

sociated with him, and with us, in these halls of legislation; men who have served their country at home, and honoured it abroad; men who would cheerfully lay down their lives for their native state, in any cause which they could regard as the cause of honour and duty; men above fear; and above reproach; whose deepest grief and distress spring from the conviction that the present proceeding of the state must ultimately reflect discredit upon her; how is this minority, how are these men regarded? They are enthralled and disfranchised by ordinances and acts of legislation, subjected to tests and oaths incompatible, as they conscientiously think, with oaths already taken, and obligations already assumed; they are proscribed and denounced as recreants to duty and patriotism, and slaves to a foreign power; both the spirit which pursues them, and the positive measures which emanate from that spirit, are harsh and proscriptive beyond all precedent within my knowledge, except in periods of professed revolution.

Mr. President, all popular governments rest on two principles, or two assumptions:

First, That there is, so far, a common interest among those over whom the Government extends, as that it may provide for the defence, protection, and good government of the whole, without injustice or oppression to parts.

Second, That the representatives of the people, and especially the people themselves, are secure against general corruption, and may be trusted, therefore, with the exercise of power. Whoever argues against these principles, argues against the practicability of all free governments. And whoever admits these, must admit, or cannot deny, that power is as safe in the hands of Congress as in those of other representative bodies. Congress is not irresponsible. Its members are agents of the people, elected by them, and liable to be displaced or superceded at their pleasure; and they possess as fair a claim to the confidence of the people, while they continue to deserve it, as any other public political agents.

If, then, sir, the manifest intention of the convention, and the cotemporary admission of both friends and foes, prove any thing; if the plain text of the instrument itself, as well as the necessary implication from other provisions, prove any thing; if the early legislation of Congress, the course of judicial decisions, acquiesced in by all the States for forty years, prove any thing, then it is proved that there is a supreme law, and a final interpreter.

My fourth, and last proposition, Mr. President, was, that any attempt by a State to abrogate or nullify acts of Congress, is a usurpation on the powers of the General Government, and on the equal rights of other States, a violation of the constitution, and a proceeding essentially revolutionary. This is undoubtedly true, if the preceding propositions be regarded as proved. If the Government of the U. States be trusted with the duty, in any department, of declaring the extent of its own powers, then a State ordinance, or act of legislation, authorizing resistance to an act of Congress, on the alleged ground of its unconstitutionality, is manifestly a usurpation upon its powers.

If the States have equal rights, in matters concerning the whole, then for one State to set up her judgment against the judgment of the rest, and to insist on executing that judgment by force, is also a manifest usurpation on the rights of other States.

If the constitution of the U. States be a Government proper, with authority to pass laws, and to give them a uniform interpretation and execution, then the interposition of a State, to enforce her own construction, and to r[illegible], as to herself, that law which binds the other States, is a violation of the constitution.

And if that be revolutionary which arrests the legislative, executive, and judicial power of Government, dispenses with existing oaths and obligations of obedience, and elevates another power to supreme dominion, then nullification is revolutionary. Or if that be revolutionary, the natural tendency and practical effect of which is to break the Union into fragments, to sever all connexion among the people of the respective States, and to prostrate this General Government in the dust, then nullification is revolutionary.

Nullification, sir, is as distinctly revolutionary as secession; but I cannot say that the revolution which it seeks is one of so respectable a character. Secession would, it is true, abandon the constitution altogether; but then, it would profess to abandon it. Whatever other inconsistencies it might run into, one, at least, it would avoid. It would not belong to a Government, while it rejected its authority. It would not repel the burden, and continue to enjoy the benefits. It would not aid in passing laws which others are to obey, and yet reject their authority, as to itself. It would not undertake to reconcile obedience to public authority, with an asserted right of command over the same authority. It would not be in the Government, and above the Government, at the same time. But, however more respectable a mode secession may be, it is not more truly revolutionary than the actual execution of the doctrines of nullification. Both, and each, resist the constitutional authorities; both, and each, would sever the Union, and subvert the Government.

Mr. President, having detained the Senate so long already, I will now examine, at length, the ordinance and laws of South Carolina. These papers are well drawn for their purpose. Their authors understood their own objects. They are called a peaceable remedy, and we have been told that South Carolina, after all, intends nothing but a law suit. A very few words, sir, will show the nature of this peaceable remedy, and of the law suit which S. Carolina contemplates.

In the first place, the ordinance declares the law of last July, and all other laws of the U. States, laying duties, to be absolutely null and void; and makes it unlawful for the constituted authorities of the U. States to enforce the payment of such duties. It is, therefore, sir, an indictable offence, at this moment, in S. Carolina, for any person to be concerned in collecting revenue, under the laws of the U. States. It being declared unlawful to collect these duties by what is considered a fundamental law of the State, an indictment lies, of course, against any one concerned in such collection, and he is, on general principles, liable to be punished by fine and imprisonment. The terms, it is true, are, that it is unlawful "to enforce the payment of duties;" but every custom-house officer *enforces payment* while he detains the goods, in order to obtain such payment. The ordinance, therefore, reaches every body concerned in the collection of the duties.

This is the first step in the prosecution of the peaceable remedy. The second is more decisive. By the act, commonly called the replevin law, any person, whose goods are seized or detained by the collector for the payment of duties, may sue out a writ of replevin, and, by virtue of that writ, the goods are to be restored to him. A writ of replevin, is a writ which the sheriff is bound to execute, and for the execution of which, he is bound to employ force, if necessary. He may call out the *posse*, and must do so, if resistance be made. This *posse* may be armed or unarmed. It may come forth with military array, and under the lead of military men. Whatever number of troops may be assembled in Charleston, they may be summoned, with the Governor, or commander-in-chief, at their head, to come in aid of the sheriff. It is evident, then, sir, that the whole military power of the State is to be employed, whenever necessary, in dispossessing the custom-house officers, and in seizing and holding the goods, without paying the duties. This is the second step in the peaceable remedy.

Sir, whatever pretences may be set up to the contrary, this is the direct application of force, and of military force. It is unlawful in itself, to replevy goods in the custody of the collectors. But this unlawful act is to be done, and it is to be done by power. Here is a plain interposition, by physical force, to resist the laws of the Union. The legal mode of collecting duties is, to detain the goods till such duties are paid or secured. But force comes, and overpowers the collector, and his assistants, and takes away the goods, leaving the duties unpaid. There cannot be a clearer case of forcible resistance to law. And it is provided that the goods thus seized shall be held against any attempt to retake them, by the same force which seized them.

Having thus dispossessed the officers of the Government of the goods, without payment of duties, and seized and secured them by the strong arm of the State, only one thing more remained to be done, and that is, to cut off all possibility of legal redress; and that, too, is accomplished, or thought to be accomplished. The ordinance declares, *that all judicial proceedings, founded on the revenue laws*, (including, of course, proceedings in the courts of the United States,) *shall be null and void.* This nullifies the judicial power of the U. States. Then comes the test-oath act. This requires all State judges and jurors in the State courts to swear that they will execute the ordinance, and all acts of the Legislature passed in pursuance thereof. The ordinance declares, that no appeal shall be allowed from the decision of the State courts to the Supreme Court of the United States; and the replevin act makes it an indictable offence for any clerk to furnish a copy of the record, for the purpose of such appeal.

The two principal provisions on which S. Carolina relies, to resist the laws of the U. States, and nullify the authority of this Government, are, therefore, these:

1. A forcible seizure of goods, before the duties are paid or secured, by the power of the State, civil and military.

2. The taking away, by the most effectual means in her power, of all legal redress in the courts of the U. States; the confining all judicial proceedings to her own State tribunals; and the compelling of her judges and jurors of these, her own courts, to take an oath, beforehand, that they will decide all cases according to the ordinance, and the acts passed under it; that is, that they will decide the cause one way. They do not swear to *try* it, on its own merits; they only swear to *decide* it, as nullification requires.

The character, sir, of these provisions, defies comment. Their object is as plain as their means are extraordinary. They propose direct resistance, by the whole power of the State, to laws of Congress, and cut off, by methods deemed adequate, any redress by legal and judicial authority. They arrest legislation, defy the executive, and *banish* the Judicial power of this Government. They authorise and command acts to be done, and done by force, both of numbers and of arms, which, if done, and done by force, are clearly acts of rebellion and treason.

Such, sir, are the laws of S. Carolina; such, sir, is the peaceable remedy of nullification. Has not nullification reached, sir, even thus early, that point of direct and forcible resistance to law, to which I intimated, three years ago, it plainly tended?

And now, Mr. President, what is the reason for passing laws like these? What are the oppressions experienced, under the Union, calling for measures which thus threaten to sever and destroy it? What invasions of public liberty, what ruin to private happiness, what long list of rights violated, or wrongs unredressed, is to justify to the country, to posterity, and to the world, this assault upon the free constitution of the U. States, this great and glorious work of our fathers? At this very moment, sir, the whole land smiles in peace, and rejoices in plenty. A general and high prosperity pervades the country; and, judging by the common standard, by increase of population & wealth; or, judging by the opinions of that portion of her people not embarked in those dangerous and desperate measures, this prosperity overspreads South Carolina herself.

Thus, happy at home, our country, at the same time, holds high the character of her institutions, her power, her rapid growth, and her future destiny, in the eyes of all foreign States. One danger, only, creates hesitation; one doubt only exists, to darken the otherwise uncloaded brightness of that aspect, which she exhibits to the view, and to the admiration, of the world. Need I say, that that doubt respects the permanency of our Union; and need I say, that that doubt is now caused, more than by any thing else, by these very proceedings of S. Carolina? Sir, all Europe is, at this moment, beholding us, and looking for the issue of this controversy; those who hate free institutions, with malignant hope; those who love them, with deep anxiety and shivering fear.

The cause, then, sir, the cause! Let the world know the cause, which has thus induced one State of the Union to bid defiance to the power of the whole, and openly to talk of secession.

Sir, the world will scarcely believe that this whole controversy, and all the desperate measures which its support requires, have no other foundation than a difference of opinion, upon a provision of the constitution, between a majority of the people of S. Carolina, on one side, and a vast majority of the whole people of the U. States, on the other. It will not credit the fact, it will not admit the possibility, that, in an enlightened age, in a free and popular republic, under a Government where the people govern, as they must always govern, under such systems, by majorities, at a time of unprecedented happiness, without practical oppression, without evils, such as may not only be pretended, but felt and experienced; evils, not slight or temporary, but deep, permanent, and intolerable; a single State should rush into conflict with all the rest, attempt to put down the power of the Union by her own laws, and to support those laws by her military power, and thus break up and destroy the world's last hope. And well the world may be incredulous. We who see and hear it, can ourselves hardly yet believe it. Even after all that had preceded it, this ordinance struck the country with amazement. It was incredible and inconceivable, that S. Carolina should thus plunge headlong into resistance of the laws, on a matter of opinion, and on a question in which the preponderance of opinion, both of the present day and of all past time, was so overwhelmingly against her. The ordinance declares that Congress has exceeded its just power, by laying duties on imports, intended for the protection of manufactures. This is the opinion of South Carolina; and on the strength of that opinion she nullifies the laws. Yet has the rest of the country no right to its opinion also? Is one State to sit sole arbitress? She maintains that those laws are plain, deliberate, and palpable violations of the constitution; that she has a sovereign right to decide this matter; and that, having so decided, she is authorized to resist their execution, by her own sovereign power; and she declares that she will resist it, though such resistance should shatter the Union into atoms.

Mr. President, I do not intend to discuss the propriety of these laws, at large; but I will ask, how are they shown to be thus plainly and palpably unconstitutional? Have they no countenance, at all, in the constitution itself? Are they quite new in the history of the Government? Are they a sudden and violent usurpation on the rights of the States? Sir, what will the civilized world say, what will posterity say, when they learn that similar laws have existed from the very foundation of the Government; that for thirty years the power was never questioned; and that no State in the Union has more freely and unequivocally admitted it than South Carolina herself?

To lay and collect duties and imposts, is an *express power*, granted by the constitution to Congress. It is, also, an *exclusive power;* for the constitution as expressly prohibits all the States from exercising it themselves. This express and exclusive power is unlimited in the terms of the grant, but is attended with two specific restrictions: first, that all duties and imposts shall be equal in all the States; second, that no duties shall be laid on exports. The power, then, being granted, and being attended with these two restrictions, and no more, who is to impose a third restriction on the general words of the grant? If the power to lay duties, as known among all other nations, and as known in all our history, and as it was perfectly understood when the constitution was adopted, includes a right of discriminating, while exercising the power, and of laying some duties heavier, and some lighter, for the sake of encouraging our own domestic products, what authority is there for giving to the words used in the constitution a new, narrow, and unusual meaning? All the limitations which the constitution intended, it has expressed; and what it has left unrestricted, is as much a part of its will, as the restraints which it has imposed.

But these laws, it is said, are unconstitutional on account of the motive. How, sir, can a law be examined on any such ground? How is the motive to be ascertained? One House or one member, may have one motive; the other House, or another member, another. One motive may operate to-day, and another to-morrow. Upon any such mode of reasoning as this, one law might be unconstitutional now, and another law, in exactly the same words, perfectly constitutional next year. Besides, articles may not only be taxed, for the purpose of protecting home products, but other articles may be left free, for the same purpose, and with the same motive. A law, therefore, would become unconstitutional from what it omitted as well as what it contained. Mr. President, it is a settled principle, acknowledged in all legislative halls, recognized before all tribunals, sanctioned by the general sense and understanding of mankind, that there can be no inquiry into the motives of those who pass laws, for the purpose of determining on their validity. If the law be within the fair meaning of the words in the grant of the power, its authority must be admitted until it is repealed. This rule, every where acknowledged, every where admitted, is so universal, and so completely without exception, as that even an allegation of fraud, in the majority of a Legislature, is not allowed as a ground to set aside a law.

But sir, is it true, that the motive for these laws is such as is stated? I think not. The great object of all these laws is, unquestionably, Revenue. If there were no occasion for revenue, the laws would not have been passed; and it is notorious that almost the entire revenue of the country is derived from them. And as yet, we have collected none too much revenue. The treasury has not been more exhausted for many years than at the present moment. All that S. Carolina can say, is, that in passing the laws which she now undertakes to nullify, particular articles were taxed from a regard to the protection of domestic articles, higher than they would have been had no such regard been entertained. And she insists that, according to the constitution, no such discrimination can be allowed; that duties should be laid for revenue, and revenue only; and that it is unlawful to have reference, in any case, to protection. In other words, she denies the power of Discrimination.—She does not, and cannot, complain of excessive taxation; on the contrary, she professes to be willing to pay any amount for revenue, merely as revenue: and up to the present moment there is no surplus of revenue. Her grievance, then, that plain and palpable violation of the constitution, which she insists has taken place, is simply the exercise of the power of Discrimination. Now, sir, is the exercise of this discrimination plainly and palpably unconstitutional? I have already said the power to lay duties is given by the constitution in broad and general terms. There is also conferred on Congress the whole power of regulating commerce in another distinct provision. It is clear and palpable, sir, can any man say it is a case beyond doubt, that under these two powers Congress may not justly discriminate in laying duties for the purpose of countervailing the policy of foreign nations, or of favouring our own home productions? Sir, what ought to conclude this question for ever, as it would seem to me, is, that the regulation of commerce, and the imposition of duties are, in all commercial nations, powers avowedly and constantly exercised for this very end.—That undeniable truth ought to settle the question; because the constitution ought to be considered, when it uses well known language, as using it in its well known sense. But it is equally undeniable that it has been, from the very first, fully believed that this power of discrimination was conferred on Congress; and the constitution was itself recommended, urged upon the people, and enthusiastically insisted on, in some of the States, for that very reason. Not that, at that time, the country was extensively engaged in manufactures, especially of those kinds now existing. But the trades and crafts of the seaport towns, the business of the artizans, and manual labourers, these employments, the work of which supplies so great a portion of the daily wants of all classes, all these looked to the new constitution as a source of relief from the severe distress which followed the war. It would, sir, be unpardonable, at so late an hour, to go into details on this point; but the truth is as I have stated. The papers of the day, the resolutions of public meetings, the debates in the conventions, all that we open our eyes upon, in the history of the times, prove it.

The honourable gentleman, sir, from S. C., has referred to two incidents connected with the proceedings of the Convention at Philadelphia, which he thinks are evidences to show that the power of protecting manufactures, by laying duties, and by commercial regulations, was not intended to be given by Congress. The first is, as he says, that a power to protect manufactures was expressly proposed, but not granted. I think, sir, the gentleman is quite mistaken in relation to this part of the proceedings of the Convention.—The whole history of the occurrence to which he alludes is simply this: Towards the conclusion of the Convention, after the provisions of the constitution had been mainly agreed upon, after the power to lay duties and the power to regulate commerce had been granted, a long list of propositions was made, and referred to the committee, containing various miscellaneous powers, some or all of which it was thought might be properly vested in Congress. Among these, was a power to establish a university; to grant charters of incorporation; to regulate stage coaches on the post roads, and also the power to which the gentleman refers, and which is expressed in these words:—"To establish public institutions, rewards and immunities, for the promotion of agriculture, commerce, trades, and manufactures." The committee made no report on this or various other propositions in the same list. But the only inference from this omission is, that, neither the committee nor the Convention thought it proper to authorise Congress "to establish public institutions, rewards and immunities" for the promotion of manufactures, and other interests. The Convention supposed it had done enough, at any rate it had done all it had intended, when it had given to Congress, in general terms, the power to lay imposts and the power to regulate trade. It is not to be argued, from its omission to give more, that it meant to take back what it had already given. It had given the impost power; it had given the regulation of trade; and it did not deem it necessary to give the further and distinct power of establishing public institutions.

The other fact, sir, on which the gentleman relies, is the declaration of Mr. Martin, to the Legislature of Maryland. The gentleman supposes Mr. M. to have urged against the constitution that it did not contain the power of protection. But, if the gentleman will look again at what Mr. Martin said, he will find, I think, that what Mr. Martin complained of was, that the constitution, by its prohibitions on the States, had taken away from the States themselves the power of protecting their own manufactures by duties on imports. This is undoubtedly true; but I find no expression of Mr. Martin intimating that the constitution had not conferred on Congress the same power which it had thus taken from the States.

But, Sir, let us go to the first Congress; let us look in upon this and the other House, at the first session of their organization.

We see in both Houses men distinguished among the framers, friends, and advocates, of the constitution. We see in both those, who had drawn, discussed, and matured the instrument in the Convention, explained and defended it before the people, and were now elected members of Congress to put the new Government into motion, and to carry the power of the constitution into beneficial execution.

At the head of the Government was Washington himself, who had been President of the Convention, and in his cabinet were others most thoroughly acquainted with the history of the constitution, and distinguished for the part taken in its discussion.

If these persons were not acquainted with the meaning of the constitution; if they did not understand the work of their own hands, who can understand it, or who shall now interpret it to us?

Sir, the volume which records the proceedings and debates of the first session of the House of Representatives, lies before me. I open it, and I find that, having provided for the administration of the necessary oaths, the very first measure proposed for consideration is, laying of imposts; and in the very first Committee of the Whole into which the House of Representatives ever resolved itself, on this its very first debate, the duty of so laying the imposts as to encourage manufactures was advanced, and enlarged upon by almost every speaker, and doubted or denied by none. The first gentleman who suggested this as the clear duty of Congress, and as an object necessary to be attended to, is Mr. Fitzsimons, of Pennsylvania; the second Mr. White of Virginia; the third Mr. Tucker, of South Carolina.

But the great leader, sir, on this occasion, was Mr. Madison. Was he likely to know the intentions of the convention and the people? Was he likely to understand the constitution?

At the second sitting of the committee, Mr. Madison explained his own opinions of the duty of Congress, fully and explicitly. I must not detain you, sir, with more than a few short extracts from these opinions, but they are such as are clear, intelligible, and decisive.

"The States," says he, "that are most advanced in population, and ripe for manufactures, ought to have their particular interest attended to, in some degree. While States retained the power of making regulations of trade, they had the power to cherish such institutions. By adopting the present constitution, they have thrown the exercise of this power into other hands; they must have done this with an expectation that those interests would not be neglected here."

In another report of the same speech, Mr. Madison is represented as using still stronger language; as saying that the constitution, having taken this power away from the States, and conferred it on Congress, it would be a fraud on the States, and on the people, were Congress to refuse to exercise it.

Mr. Madison argues, sir, on this early and interesting occasion, very justly and liberally in favor of the general principles of unrestricted commerce. But he argues also, with equal force and clearness for certain important exceptions to these general principles.

The first, sir, respects those manufactures which had been brought forward under encouragements by the State Governments. "It would be cruel," says Mr. Madison, "to neglect them, and to divert their industry into other channels, for it is not possible for the hand of man to shift from one employment to another without being injured by the change."—Again: "There may be some manufactures which, being once formed, can advance towards perfection without any adventitious aid; while others, for want of the fostering hand of Government, will be unable to go on at all. Legislative provision, therefore, will be necessary to collect the proper objects for this purpose; and this will form another exception to my general principle." And again: "The next exception that occurs is one on which great stress is laid by some well informed men, and this with great plausibility; that each nation should have, within itself the means of defence, independent of foreign supplies; that, in whatever relates to the operations of war, no State ought to depend upon a precarious supply from any part of the world. There may be some truth in this remark, and therefore it is proper for legislative attention."

In the same debate, sir, Mr. Burk, from S. Carolina, supported a duty on hemp, for the express purpose of encouraging its growth, on the strong lands of S. Carolina. "Cotton," he said, "was also in contemplation among them, and if good seed could be procured, he hoped might succeed."—Afterwards, sir, the cotton seed was obtained, its culture was protected, and it did succeed. Mr. Smith, a very distinguished member from the same State, observed: "It has been said, and justly, that the States which adopted this constitution expected its administration would be conducted with a favourable hand. The manufacturing states wished the encouragement of manufactures; the maritime States, the encouragement of ship-building; and the agricultural States the encouragement of agriculture."

Sir, I will detain the Senate by reading no more extracts from these debates. I have already shown a majority of the members of South Carolina, in this very first session, acknowledging this power of protection, voting for its exercise, and proposing its extension to their own products. Similar propositions came from Virginia, and, indeed, sir, in the whole debate, at whatever page you open the volume, you find the power admitted, and you find it applied to the protection of particular articles, or not applied, according to the discretion of Congress. No man denied the power—no man doubted it; the only questions were, in regard to the several articles proposed to be taxed, whether they were fit subjects for protection, and what the amount of that protection ought to be. Will gentlemen, sir, now answer the argument drawn from those proceedings of the first Congress?—Will they undertake to deny that that Congress did act on the avowed principle of protection? Or, if they admit it, will they tell us how those who framed the constitution fell, thus early, into this great mistake about its meaning? Will they tell us how it should happen that they had so soon forgotten their own sentiments, and their own purposes? I confess I have seen no answer to this argument, nor any respectable attempt to answer it. And, sir, how did this debate terminate? What law was passed? There it stands, sir, among the statutes, the second law in the book. It has a preamble, and that preamble expressly recites, that the duties which it imposes are laid "for the support of Government, for the discharge of the debts of the United States, and the encouragement and protection of manufactures." Until, Sir, this early legislation, thus coeval with the constitution itself, thus full and explicit, can be explained away, no man can doubt of the meaning of that instrument.

Mr. President, this power of discrimination, thus admitted, avowed, and practised upon, in the first revenue act, has never been denied or doubted until within a few years past. It was not at all doubted, in 1816, when it became necessary to adjust the revenue to a state of peace. On the contrary, the power was then exercised, not without opposition as to its expediency, but, as far as I remember or have understood, without the slightest opposition founded on any supposed want of constitutional authority. Certainly S. Carolina did not doubt it. The Tariff of 1816 was introduced, carried through, and established, under the lead of S. Carolina. Even the minimum policy is of S. Carolina origin. The honourable gentleman himself supported the Tariff of 1816. He has informed us, sir, that his speech on that occasion was sudden and off-hand, he being called upon by the request of a friend. I am sure the gentleman so remembers it, and that it was so; but there is, nevertheless, much method, arrangement, and clear exposition, in that extempore speech. It is very able, very, very much to the point, and very decisive. And in another speech, delivered two months earlier, on the proposition to repeal the internal taxes, the honourable gentleman had touched the same subject and had declared, "that a certain encouragement ought to be extended, at least to our woollen and cotton manufactures." I do not quote these speeches, sir, for the purpose of showing that the honourable gentleman has changed his opinion; my object is other and higher. I do it for the sake of saying, that that cannot be so plainly and palpably unconstitutional, as to warrant resistance to law, nullification, and revolution, which the honourable gentleman and his friends have heretofore agreed to, and acted upon, without doubt and without hesitation.

Sir, it is no answer to say, that the tariff of 1816 was a revenue bill. So are they all revenue bills. The point is, and the truth is, that the tariff of 1816, like the rest, did discriminate; it did distinguish one article from another; it did lay duties for protection. Look to the case of coarse cottons, under the minimum calculation; the duty on these was sixty to eighty per cent.—Something besides revenue certainly was intended in this; and, in fact, the law cut up our whole commerce with India in that article. It is, sir, only within a few years that Carolina has denied the constitutionality of these protective laws. The gentleman himself has narrated to us the true history of her proceedings on this point. He says that, after the passage of the law of 1828, despairing then of being able to abolish the system of protection, political men went forth among the people, and set up the doctrine that the system was unconstitutional. "And the People," says the honourable gentleman, "received the doctrine." This, I believe, is true, sir. The people did then receive the doctrine; they had never entertained it before. Down to that period, the constitutionality of these laws had been no more doubted in South Carolina, than elsewhere. And I suspect it is true, sir, and I deem it a great misfortune, that, to the present moment, a great portion of the people of the State have never yet seen more than one side of the argument. I believe that thousands of honest men are involved in scenes now passing, led away by one sided views of the question, and following their leaders by the impulses of an unlimited confidence. Depend upon it, sir, if we can avoid the shock of arms, a day for reconsideration and reflection will come; truth and reason will act with their accustomed force, and the public opinion of S. Carolina will be restored to its usual constitutional and patriotic tone.

But sir, I hold South Carolina to her ancient, her cool, her uninfluenced, her deliberate opinions. I hold her to her own admissions, nay, to her own claims and pretensions, in 1789, in the first congress, and to her acknowledgments and avowed sentiments through a long series of succeeding years.—I hold her to the principles on which she led Congress to act in 1816; or, if she has changed her own opinions, I claim some respect for those who still retain the same opinions. I say she is precluded from asserting that doctrines which she has herself so long and so ably sustained, are plain, palpable, and dangerous violations of the constitution.

Mr. President, if the friends of nullification should be able to propagate their opinions, and give them practical effect, they would, in my judgment, prove themselves the most skilful "architects of ruin," the most effectual extinguishers of high raised expectation, the greatest blasters of human hopes, which any age has produced. They would stand up and proclaim, in tones which would pierce the ears of half the human race, that the last great experiment of representative government had failed. They would send forth sounds, at the hearing of which the doctrine of the divine right of kings would feel, even in its grave, a sensation of vitality and resusc[illegible] lions of eyes, of those who now[illegible] inherent love of liberty on the [illegible] American example, would turn [illegible] beholding our dismemberment, [illegible] place on earth whereon to rest [illegible] sight. Amidst the incantations [illegible] of nullification, secession, [illegible] revolution, would be celebrated [illegible] rites of constitutional and repub[illegible]

But, sir, if the Government [illegible] if it act with firmness and with [illegible] these opinions cannot prevail. [illegible] sir, that, among the political [illegible] this people, the love of union is [illegible] most. They will stand fast by [illegible] tution, and by those who defen[illegible] on no temporary expedients—[illegible] combination—but I rely in the [illegible] can feeling, the genuine patri[illegible] people, and the imperative dic[illegible] public voice. Disorder and co[illegible] deed, may arise; scenes of con[illegible] contest are threatened, and [illegible] come. With my whole heart, [illegible] continuance of the domestic pe[illegible] of the country. I desire most [illegible] restoration of affection and ha[illegible] its parts. I desire that every [illegible] whole country may look to the [illegible] with no other sentiment but [illegible] ful respect and attachment.

But I cannot yield, even to [illegible] the cause of the constitution, [illegible] of the country, and the great [illegible] hold in our hands for succeed[illegible] the constitution cannot be ma[illegible] out meeting these scenes of co[illegible] contest, however unwelcome [illegible] come. We cannot, we must [illegible] not omit to do that which, in [illegible] the safety of the Union requi[illegible] gardless of consequences, we [illegible] consequences; seeing the hazar[illegible] round the discharge of public d[illegible] yet be discharged. For myself, [illegible] no responsibility justly devolving [illegible] or elsewhere, in attempting to [illegible] cause. I am tied to it by indis[illegible] of affection and duty, and I s[illegible] partake in its fortunes and its [illegible] ready to perform my own ap[illegible] whenever and wherever the [illegible] call on me, and to take my [illegible] those upon whom blows may [illegible] fall thickest. I shall exert e[illegible] possess in aiding to prevent t[illegible] from being nullified, destroy[illegible] and even should I see it fall, I [illegible] a voice, feeble perhaps, but e[illegible] issued from human lips, and [illegible] and zeal, which nothing sha[illegible] call on the PEOPLE to come [illegible]

Washington, [illegible]

A Serious Disaster.—We [illegible] have to announce that the Pu[illegible] East of the President's Square, [illegible] the Treasury Department, was [illegible] Fire yesterday morning, bet[illegible] clock and sunrise. The fire [illegible] covered in the room adjoin[illegible] chief clerk of the Department, [illegible] among the Clerks and other [illegible] name of Mr. F. Laub's Ro[illegible] known whether the Fire ori[illegible] floor or the ceiling of the [illegible] being in a blaze before any one ap[illegible] but no doubt appears to be *entertai*[illegible] Fire was accidental. The whol[illegible] on fire before the alarm was giv[illegible] the alarm was given, even the [illegible] ing the pavement in front of [illegible] Bank (near the spot) perce[illegible] of the fire, (the building of the [illegible] ment interposing.) Every exer[illegible] as the people gathered to the [illegible] that it would be in vain to [illegible] the building, to rescue the bo[illegible] of the several offices. A [illegible] saved, by the clerks and othe[illegible] sidering the circumstances [illegible] indeed, that few books or pa[illegible] consequence are destroyed.

All the books and papers [illegible] floor are believed to have be[illegible] disorder of course) and *all* thos[illegible] story were destroyed. Of thes[illegible] papers in the apartments of the [illegible] much the greater part were s[illegible]

The offices on the first floor, th[illegible] which are saved, were those of [illegible] ter of the Treasury, the Treas[illegible] First Auditor. On the secon[illegible] ly all the books of the First [illegible] whose office occupied the grea[illegible] the rooms, were saved and a p[illegible] longing to the office of th[illegible] the Treasury, in whose im[illegible] ments the fire was first discov[illegible]

Of the offices connected wi[illegible] ry Department, several of th[illegible] sive, are kept in other buildi[illegible] destroyed, and are of course [illegible] viz: those of the Second Com[illegible] cond, Third, Fourth, and F[illegible] and the Solicitor of the Treas[illegible]

The papers destroyed were [illegible] obsolete, and almost all of a d[illegible] 1820. The most important p[illegible] ed were perhaps the correspo[illegible] Head of the Treasury Depar[illegible] was kept in the room wherein [illegible] ginated.

No one can look at the s[illegible] without a sensation of astonis[illegible] fatuity and utter improvidence [illegible] books and papers of such va[illegible] have been so long trusted to an[illegible] a fire-proof building. The [illegible] vaulted rooms in the building [illegible] caped the flames; and had the [illegible] ing been similarly constructed, [illegible] not have occurred, or if, thro[illegible] carelessness, it had occurred, [illegible] been confined to the room in [illegible] ginated.

Col. *David Crocket,* says the [illegible] Recorder, is a candidate for C[illegible] next election, from his old di[illegible]

...HE RALEIGH REGISTER.

...e Court adjourned on Tues-
following is a list of the Ca-
ring the term:

EQUITY.

...v. Simms. Decree for Plaintiff.
...rrington. Decree for Defendant.
...ator v. Conner. Bill dismissed.
...v. Robards. Decree for Plain-
...gham et al. Decree for Plain-
...v. Blackwell et al. Decree.
...The executors of Blount. De-
...llock et al. Decree.
...an. Bill dismissed.
...issell. Decree for Plaintiff.
...l. v. Cape Fear Navigation Co.
...v. McBryde et al. Remanded.
...ne. Remanded.
...awthorn. Decree for Plaintiff.
...Hooks. Bill dismissed.
...Howell. Bill dismissed at the
...dant.
...Gildersliеve. Remanded.
...Perry. Decree for Plaintiff.
...al. v. Halsey et al. Decree for
...intiff.
...Smith. Referred to Clerk.
...Isler. Decree and Reference.
...ks et al. v. Benjamin Howell.
...on et al. Referred to Clerk.
...anders. Decree for Plaintiff.
...v. Davis. Bill dismissed.
...Pelfair et al. Bill dismissed.
...et al. v. Chesher. Bill dismiss-
...on et al. Decree affirmed.
...Bridgin. Bill dismissed.
...Battle et al. Bill dismissed.
...et al. Decree for Plaintiff,
...Hawkins et al. Decree for
...et al. Bill dismissed.
...Trotter. Decree for Plain-
...uld. Decree.
...elver. Decree for Plaintiff.
...al. v. Davis et al. Decree for
...Hawkins et al. Decree for Plain-
...v. Jones. Decree affirmed.
...Perkins Bill dismissed.
...bert v Jones. Bill dismissed.
...Glenn. Bill dismissed.
...Dixon. Decree in part.

COMMON LAW.

1. Ricks ... Cutler. Judgment affirmed.
2. Judges to the use of Oates v. Bryan et al. Judgment for the Plaintiffs.
3. Same v. Same. Judgment for the Plaintiffs.
4. Same v. Same. Judgment for the Plaintiffs.
5. Same v. Same. Judgment for the Plaintiffs.
6. Wilson v. Murphey. Judgment reversed.
7. Harrison v. Ward Judgment affirmed.
8. Eppes v. Mitchemore. Judgment affirmed.
9. Simonton v. McKnight. Judgment affirmed.
10. Moody v. Stockton. Judgment affirmed.
11. Mheon v. Drizzle. Judgment affirmed.
12. Douglass v. Short. Judgment reversed.
13. Isbell v. Stone. Judgment reversed.
14. Collins v. Nall. Judgment affirmed.
15. State of N. Carolina v. Slade. Judgment for State.
16. Wallace v. Mills. Judgment affirmed.
17. Parker v. Armstrong. Decree reversed.
18. Crowell v. Kink. Judgment affirmed.
19. Stowe v. [illegible]k of Cape Fear. Judgment affirmed.
20. Wilson v. Davidson. Judgment reversed.
21. Parker v. Parker. Judgment reversed.
22. Hinton v. Barden. Judgment reversed.
23. Mitchell v. Holliday. Judgment reversed.
24. Smith v. Pugh. Judgment affirmed.
25. Jones v. Jones. Judgment affirmed.
26. Gilliam v. King. Judgment reversed.
27. Wright v. Greene v Williams. Judgment affirmed.
28. Sneed v. Greenlee. Judgment affirmed.
29. Cathey v. Martin. Judgment reversed.
30. Wood v. Brownrigg. Judgment affirmed.
31. Roanoke Navigation Company v Greene.—Judgment reversed.
32. Sneed v. Lee. Judgment affirmed.
33. Yarbrough v. Monday. Judgment reversed.
34. Cobb v. Spring. Judgment affirmed.
35. Morrison v. Morrison. Judgment reversed.
36. Hooker v. Collier. Judgment affirmed.
37. White v. Cawthorn. Judgment affirmed.
38. Mason v. Windley. Judgment affirmed.
39. Fisher v. Caraway. Judgment affirmed.
40. Hughes v. Fonville. Judgment affirmed.
41. Bayne v. Robinson. Judgment affirmed
42. Wilson v. Barnes. Judgment reversed.
43. Smith v. Morgan. Judgment affirmed.
44. Bennett v. Cannings. Judgment reversed.
45. Ingram v. Wadkins. Judgment reversed.
46. Lucas v. Wesson. Judgment affirmed.
47. Wall v. Byrd. Judgment affirmed.
48. Wade v. Odeneal. Judgment reversed.
49. Price v. Odeneal. Judgment reversed.
50. Bank v. Haughton. Appeal dismissed.
51. Hall v. Thompson. Judgment affirmed.
52. Wilson v. Picot. Judgment affirmed.
53. Fleetwood v. Fleetwood. Judgment affirmed.
54. Speight v. Speight. Judgment reversed.
55. Jones v. Glasser. Judgment reversed.
56. Clarke v. Harrington. Judgment reversed.
57. Simpson v. McBee. Judgment reversed.
58. Bonner v. Tyler. Judgment reversed.
59. Tester v. Long. Judgment affirmed.
60. Grist v. Long. Judgment affirmed.
61. Trotter v. Selby. Judgment affirmed.
62. The State of North Carolina v. The Bank of Newbern. Judgment affirmed.
63. Cansler v. Beemer. Judgment affirmed.
64. Ballew v. Barnes. Judgment reversed.
65. Jones v. Ruffin. Judgment affirmed.
66. Barden v. Barden. Judgment reversed.
67. [illegible] v. Scoggins. Judgment affirmed.

STATE CASES.

Patrick et al. Judgment reversed.
Lipsey. Judgment reversed.
Clements. Judgment arrested.
McDonald et al. Judgment reversed.
Roper. Judgment reversed.

UNITED STATES TELEGRAPH.

...nal, who holds a highly con-
... under the appointment of
...n, proposed, to the editor
...in 1829, to enter into an ar-
... communicate to *his* broker in
...uch facts as would enable him
...in the stocks; and, failing to
...rmation through us, he came
...y in 1829, and also in 1830—
...ident's message, before it was
...d to Congress, in time to re-
... York in anticipation of the ex-
...in both cases, there were large
... in stocks. We vouch for this
...e individual to whom we refer,
...there has been a correspondence
..., on the subject. We presume
...deny what we now say.

OBSERVER.

FAYETTEVILLE:

TUESDAY EVENING, APRIL 9, 1833.

The last Raleigh Register and Star express the deep indignation of themselves and the people of Raleigh, in consequence of the intended removal of Capt. Thomas G. Scott, the faithful and obliging Postmaster of that City, for the purpose of giving the appointment to Joseph B. Hinton, Esq. *a citizen of Beaufort County*, who has never resided in Raleigh, we believe, except during the two Sessions of the Legislature of which he has been a member. Besides the injustice done to a correct and highly esteemed public officer, against whom the breath of slander or malice has never uttered a complaint, the appointment of a citizen of a distant county is such an insult to the people of Raleigh as is well calculated to rouse all parties to an expression of detestation. We are not surprised therefore, to find, that the largest public meeting ever held in the city, was organized by the appointment of that Revolutionary Patriot Col. *Wm. Polk*, one the earliest and warmest friends of Jackson, as Chairman. At this meeeting, says the Star,

"Resolutions were adopted unanimously remonstrating most earnestly against the removal of Capt. Scott, for the very best of reasons, viz. because, by his well tried qualifications, uprightness, integrity and assiduity to his business, he has secured the entire confidence and approbation of the people, and proved himself peculiarly fitted for the station he occupies. The resolutions also deprecate, in any event, the appointment of the individual named as his successor."

The only reason which suggests itself to the Editors of the Star, for this extraordinary act, is that Capt. Scott, though a Jackson man is not a Van Buren man; and that Mr. Hinton is.

It is due to the respectable body in Anson county whose communication appears in another part of this paper, to state that the delay of its publication is owing to no fault of ours. The letter, though addressed to the "Editors of the N. C. Journal and Fayetteville Observer," and postmarked March 21, did not come into *our* hands until, since the appearance of the last Journal, we made application for it at that office.

Concert.—A large and fashionable audience attended Mr. Marek's Concert last evening, and exhibited their satisfaction at his skilful execution, by repeated applause. Among the most interesting portions of the performance, was the execution of several pieces upon two instruments at once, the French Horn and Guitar. Mr. Marek adds to skill as a performer, the claims of a respectable stranger, of modest unassuming deportment.

Mr. Randolph.—This eccentric individual has exhibited a new freak. He has again declined being a candidate for Congress, as he says (in a speech to the people of Cumberland, one of the counties in his district,) in consequence of ill health. This is the second time he has withdrawn from a contest within a few months.

Fruit.—It is pretty well ascertained that the late cold weather has not materially injured the fruit in this section of the country.

Awful progress of the Cholera in Havana.—A letter received in Charleston from Havana, dated March 23d, states the number of deaths at from 3 to 400 daily. And though it had raged for a month, there were no signs of abatement.

The Captain of a vessel arrived at Savannah states that on the 23d March the number of deaths amounted to 500, and on the 24th to 460. He believed the disease to be on the decline. The city was nearly deserted.

We trust that the authorities of Charleston and Savannah will be on their guard against its introduction into those places from Havana.

Gov. Branch has declined being again a candidate for Congress, and Col. A. Joiner, of Halifax is a candidate to succeed him.

Reform.—The northern papers are full of reports respecting an extraordinary commission said to have been instituted by the President of the United States, to investigate certain charges preferred by Mr. Hanson Gassaway (an unsuccessful bidder for a contract) against the Navy Commissioners, for alleged malpractices in relation to contracts. The commission consists of Gen. Van Ness, Mayor of Washington, and Mr. Amos Kendall, who "daily hold their sessions in one of the attic rooms of the Navy Department, dating their summonses to witnesses and others, "Navy Department;" that they, with Mr. Gassaway, are overhauling all the papers of the Navy Commissioners' Office for twelve or sixteen years back—examining every Clerk, and every other person, who, at the instance of Mr. Gassaway, can be got as a witness to testify to any thing ever heard or *thought of*, that, by possibility, can be twisted so as to admit a construction unfavorable to any one connected with the office."

The authority to institute such an examination, by irresponsible persons, is denied, and its object is strongly suspected to be sinister. Every friend of his country will rejoice if these veteran heroes escape the malignity of party manœuvres, and come out pure and unscathed.

About the time that the additional companies of U. S. troops were ordered to Charleston harbor last fall, a considerable force of Government troops was concentrated at the Arsenal near Augusta, Georgia, under Col. Twiggs. By the last Augusta papers, we observe that this force is dispersing—three companies having been ordered by the War Department to Fort Mitchell, and two to Tellico Plains.

State Capitol.—The Commissioners for rebuilding our Capitol have adopted a plan similar to the former building, improved and enlarged. The dimensions will be as follows:

Length,	160 feet.
Breadth,	64 do.
Front of Wings,	40 do.
Projection of do.	30 do.
Height,	3 stories.

The work is to be executed under the superintendence of Mr. Wm. F. Drummond, of Washington City.—*Raleigh Star.*

A verdict of $125 was lately obtained by a passenger, against the contractors on the New York and Albany route, for being obliged to submit to the conveyance of a *wagon* instead of a *post coach*, which the contractors were bound to run.—*Ral. Star.*

The effect of Rail Roads on the price of Land.—The Winchester Virginian says, "A tract of 200 acres of Berkeley land, with only ordinary improvements, was sold a few days since, at public sale, for *forty-two dollars and one cent* per acre. Three years ago the same tract sold for $25. What may land-holders in this vicinity look for when our rail road is completed?"

The Roanoke Advocate has been considerably enlarged and improved in its appearance. We hope the spirited exertions of its enterprizing and worthy editor to serve and please the public will be liberally rewarded.

Superior Court.—The Superior Court of this county commenced its Spring Term on Monday last, Judge Strange presiding.

On Tuesday, *Benjamin F. Seaborn*, indicted for robbing and setting fire to the store of Mr. Richard Smith, in this place in September last, was brought before the Court, when, on motion of his counsel, his trial was removed to the Superior Court of Cumberland county; which will be held on the first Monday in next month.

Raleigh Star.

Rail Roads.—The Legislature of New York have incorporated, at various sessions 33 rail road companies, with an aggregate capital of 27,555,000 dollars. The actual rail roads constructed amount to thirty six miles; and the extent now under contract, or in progress, is 36 miles more. Fourteen companies have been chartered by the Legislature of Pennsylvania; and the total of rail roads, completed, in that State, and now actually making, is 415¾ miles.

Good News.—We were not aware, when calling attention some time since to the subject of a Hospital, that our Representative in Congress was exerting himself in its behalf. Our citizens will be gratified to learn that Gen. McKay, by intercession with the Committee on Commerce, was so far successful as to induce them to consent to add an amendment to a bill making a similar appropriation for Beacon Island, when that bill should be considered, of $7,000, for a Hospital near Wilmington. We learn from Gen. McKay, that, had that bill been reached during the last session of Congress, there is no doubt but that it would have passed.—*Wilmington People's Press.*

The Officers charged with that duty have taken two or three of the tenements opposite to Mrs. Strother's Hotel, on Pennsylvania Avenue, for the temporary accommodation of the Public Offices lately burnt out of the Treasury Building. The Chiefs and Clerks are busy in arranging into some sort of order the rescued papers. It will take a tedious time to put them in proper order. The *paying* offices, however, have already got to work, as well they might, seeing that the fire took place the very day before *quarter-day.*—*National Intelligencer.*

The ship Ajax, arrived at New York a few days ago, from Europe, brought as part of her cargo, 3,820 bushels of wheat. Last year, several cargoes of potatoes were imported from England, but we believe this is the first cargo of wheat which has been brought from abroad to feed the people of his country.

Cholera.—The New Orleans *Bulletin* of the 22d ult. says—"We learn by passengers arrived yesterday from Franklin, Attakapas, that the Cholera continues its ravages in the Parishes of St. Martin and St. Marys; that amongst slaves the deaths are numerous, and that also, respectable planters had fallen victims to the disease.

State Convention.—We invite the People of North Carolina, and particularly of the West, to this most important subject. We have in previous numbers of this Journal, endeavored to show to our readers the great inequality and injustice which we of the West have to bear under the present Constitution of the State. The Speeches and Reports, and the several Essays that we have published on this subject, particularly the very able and satisfactory productions of Mr. Pearson, a member of the Assembly from Rowan County, make it unnecessary that we should do more on this occasion, than to exhort our fellow citizens to *one* strenuous and determined effort more. Our cause has gained strength in the East;—many men of intelligence and influence in that quarter, have assured us of their support, if we will be true to ourselves. We have a chance at the next August election, to make known our sentiments on this subject in a manner that must have an effect upon the Legislature. A Convention of the friends of this measure of great respectability was held in Raleigh, during the session of the last Assembly, who have recommended that the question of a State Convention to amend the Constitution in certain particulars, shall be submitted to the People of N. Carolina at the next election, and that the votes on this subject shall be returned to the Governor of the State, which he no doubt will communicate to the General Assembly. It is generally believed that the Eastern counties who are opposed to our demands, will muster all their strength on their side of the question. It will be the subject of lasting reproach, if we of the West, from mere sluggishness, should let the majority be against us. We can, if we choose to turn out, speak to the ruling minority in a voice of thunder:—We have every reason to hope, that we will be successful, if we show that we of the West, *really wish* a redress of grievances: If we let this occasion pass by with indifference, we can never hope to have another; indeed, we never deserve to have another;—and until a new race shall spring up and take our places, who bestow some value on political liberty we cannot again call from the West for EQUAL RIGHTS.

All you who have heretofore *talked* upon this subject come forward and show your sincerity—come forward and bring your neighbor with you;—come forward and *do* something for the cause of your country. We are obliged to succeed if we show the zeal which was once manifested on this question, and if we deserve to succeed, we will.

Should you forego this occasion of asserting your rights, we hope "forever after you will hold your peace." You have a fair chance of effecting something; you are called upon in a pressing manner to make known your wrongs, and demand redress;—If you should now hang back, your mouths will be shut until your adversaries shall of their own accord, out of mere pity relieve you. "*Choose ye therefore*," and by that choice abide.—*Salisbury Watchman.*

Large Cargo.—The Steamboat Constitution arrived from Albany yesterday morning, with more than eight hundred passengers. The scene, so far as the jam went, was in almost as fashionable a style as a President's levee.—*N. Y. Jour. of Com.*

Resolutions approbatory of the President's Proclamation have been rejected in the Senate of Missouri by a vote of 9 to 8.

Communication.

FOR THE OBSERVER.

Mr. Hale: I beg leave to inquire of you, or any of the readers of your paper, if the statement made at the Temperance meeting in this town, on the 26th of February last can be correct? We were told that Cumberland County was taxed annually, directly and indirectly to the amount of $1,800 to $2,000 by the sale and use of *Ardent Spirits*. If I am not mistaken, we were also informed, that the whole amount of taxes was less than $6,000. By this statement then, it appears, that about one third part of our taxes are imposed upon us by a business, in which, but a few of our citizens are interested. It will not be denied, that the consumers are injured by it, and what part of the burden do they bear? What proportion of the $1800 tax do the venders of Ardent Spirits in this county pay? ☞ Their names are all known. The tax list will show how much they pay, and I trust that through your useful paper, the public will be informed on this subject. A.

FOR THE OBSERVER.

ANSON SUPERIOR COURT, *Spring Term*, 1833.

FELLOW CITIZENS OF OUR COUNTY: We the undersigned, do not assume or arrogate to ourselves the right to address you in our characters of Grand Jurors, but appear before you as individuals, now assembled from the different parts of your County, and believe it a suitable time to submit and lay before you, our views on the odious practice which has been too long sanctioned in our County—that of Candidates, for high and respectable stations, for the purpose of securing their election, becoming *bottle carriers and whiskey mongers.*

The wide spread and alarming prevalence of the besotting and reason-destroying vice of drunkenness in our land, has, within the last two or three years called forth, for its removal, the efforts of the politician, philanthropist, and christian; and has attracted the sympathies of the benevolent, and engaged the reflections of the wise.

The demoralizing influence and corruption of this great enemy of the peace, good order and happiness of society, is as clear as noon day sun, it is a moral malady, which has become an epidemic—striking and readily gaining admission at the doors of the high and the low, the rich and the poor, and from which the learned cannot claim total exemption—trampling under foot the noble faculties of reason, bestowed upon man by his Creator, to keep in due subordination his sensual appetites and passions. In short, it reduces the rational creature man, below the mere instinctive brute. "Strong drink is raging." When we turn to our Criminal Dockets, we there see that nearly all the cases are the offspring of drunkenness. If we visit our jails, we find the same melancholy picture; if we travel through our country, we may trace the footsteps of drunkenness to the miserable poverty of women and children.

And permit us to say, that we believe the evil has been greatly aggravated by the melancholy fact, so far back as the eldest of us can recollect, by the degrading practice sanctioned by custom in our County and State, of candidates finding it necessary to enter into the field of electioneering with the bottle; this, no doubt, was often painful to them, but such has been the controlling influence of custom, that men, to whose feelings, the practice was repugnant, passively gave way.

It affords us pleasure to dwell upon, and speak of the praiseworthy resolutions entered into by the candidates at our last election. And now we, as a portion of the citizens of your County, highly approve of the course by them pursued; and we have witnessed with pleasure the good effects, and now request the candidates for offices the present year, to follow their good example—we say to them, "go thou and do likewise."

We believe the present a time fit, when it becomes the duty of all freemen to turn their faces against the practice of treating, inasmuch as our elections have been of late much extended, and consequently, the sphere of action much enlarged, whereby, in the nature of things, the evil will become greatly increased.

We trust and hope, fellow citizens, to meet with your willing co-operation in our request to the candidates, in our approaching elections, not to treat.

Now assembled as Grand Jurors, we, each, and every one of us, subscribe our names.

Resolved, That the Editors of the North Carolina Journal and Fayetteville Observer, be requested to give this a place in their papers for publication.

(JOHN SMITH, *Foreman,*)	
Enoch Williams,	*Robert Hanner,*
Asa Hubbard,	*James Mullis,*
Geo. Threadgill,	*Thos. Huntly, Sen.*
Willie Baucum,	*Irvin Braswell,*
Daniel Gould,	*Eli Lowry,*
Hosea Little,	*Willie Ledbetter,*
George Morris,	*James Hinson,*
Wm. Smith, Sen.	*Joel Rushing.*
Asa Falkner,	

DIED,

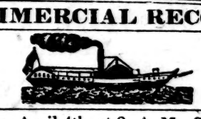
At H. W. Stricklin's, in Anson County, on the 29th ult., Mr. ELI TERRY, aged about 15 years, a son of William Terry, dec'd, and Sarah C. Terry, who formerly resided in Fayetteville. He was taken ill on Thursday evening and died on Friday, a few minutes before 12 o'clock.—*Communicated.*

In Averasborough, on the 1st inst., Miss JANE C. SMITH, in the 15th year of her age, daughter of Wm. Smith, Esq.

In this town yesterday, of Paralysis, HENRY S. ELLENWOOD, Esq'r, Editor of the "Wilmington Advertiser," aged about 40 years, a native of Boston, Mass.

Mr. Ellenwood was comparatively a stranger in our community, having been a member of it for about three months only, but had in that short time, gained a strong hold upon the affections of his acquaintances. In the accomplishments of the gentleman, and the acquirements of the scholar, he had few superiors. Warm in his attachments, and of a refined generosity, he was cherished by his friends as one rarely found. Many a heart will testify to his worth, and many a tear will manifest the sincerity with which he is mourned. The last and sad offices of friendship will be performed, as over one, whose memory will long be had in keeping.—*Wilmington People's Press.*

COMMERCIAL RECORD.



ARRIVED, April 4th, at 9. A. M., Steamer John Walker, Capt. Rothwell, with the Eliza Neill and new Flat James Seawell, in tow, and 13 cabin Passengers. Left Wilmington on the 2d at 5 P. M., with the following Goods, viz:—670 boxes, bales and trunks; 99 hhds. and crates Sundries; 312 bbls. Sundries; 264 bags Coffee, &c.; 491 packages of Nails, Lead, &c.; 2 Coaches complete; 1 pr. Burr Stones; 1 Carding Machine, complete; 1 Packing do. do.; 265 bars Iron; making 1,840 packages, for the following Merchants, viz. Yarbrough & Ray, Wilikings & Co., John Huske & Son, W. Whitehead, Joseph Baker; G. McNeill, G. C. McNeill, Hall & Johnson, John M. Dobbin, C. T. Haigh, E. J. Hale, George W. Ragland & Co., J. Campbell, W. S. Latta, P. Dailey, A. Campbell, Lewis Brown, J. McKenzie, Gardner & McKethen, Robt. Collins, T. J. Jordan, C. P. Mallett, John Crusoe, John Munn, John McLeran, Jr., Jones Fuller, Dr. B. Robinson, D. Sutherland, James Baker, James Martine, Duncan McRae, and G. Hurlbutt, *of this place.* John Murphey & Son, J. Webb, J. Henshaw, Prince & Garrett, Womack & Goodwin, D. Yarbrough, Sam'l Hargrave, T. & J. Young, F. Young, M. E. Matthews, O. & C. Gillespie, M. W. Wooburn & Co., Hargrave & Gaither, Thos. L. Cowan, M. Pinkston & Co., Cowan & Jenkins, G. W. Brown, R. Clemmons, Stockton & Huggins, Sam'l Douthit, S. B. Douthit & Co., J. Clancey, Slaughter & Reeves, Johnson & Hargrave, Underwood, Marsh & Co., Abraham Brower, J. M. & J. Allen, John M. Allen, Brower & Troy, J. Clement & Co., R. & D. Marsh, J. Cowles, Chauncey & Helcomb, J. B. Crane, Dav. Lindsay, D. Lindsay & Co., A. S. Brown, E. Mitchell, John Long, Sen., J. & W. Peace, Williams & Haywood, R. Smith, and William Boylan, *of the interior.*

DEPARTED, on the 5th, at 6 P. M., Steamer John Walker, Captain Rothwell, for Wilmington, with Eliza Neill in tow, with Cotton, Flour, Wheat, Bacon, Seed, Lard, Feathers, &c., for O. P. Stark, Henry Horn, Charles T. Haigh, Jones Fuller, L. Brown, John M. Strong, Peleg Pearce, G. McNeill of this place, and the Captain.

Port of Wilmington.

Arrived up to April 3.

Brigs Mary Hart from Newbedford, Statira from New York, Adams from do., Sultan from Boston. Schooners Maiden from Philadelphia, M. M. Martin from Egg Harbor.

Fayetteville Market.—Brandy, peach, 55 a 60. Do. apple, 45 a 50. Bacon, new, 6½a 7½. Beeswax 17 a 17½. Coffee 13 a 15.—Cotton, new, 10 a 10 50. Corn 60 a 62½. Flaxseed, $1. Flour, cross 4, fine 4½, sup. 4¾. Feathers 32 a 35. Iron 4¼ a 5½. Molasses 31 a 32. Nails, cut, 6¾ a 6¾. Sugar, brown, 7½ a 9; Lump 14; Loaf 15 a 18. Salt 65 a 75. Wheat 80 a 85. Whiskey 36 a 40. Tobacco, (leaf) 3 25 a 3 50.

Books and Stationary.

THE Subscriber is now receiving a large stock of Miscellaneous, Medical, Law, School, and Blank Books; Gilt and perfumed Letter and note Paper; Laid, vellum and plain Letter and Cap Papers, Fine Cutlery, Prints, Piano Music, &c. &c., selected by himself in New York and Philadelphia, which he will sell low; many articles he believes at a lower price than they can be had at any Book Store in the State. Country Merchants will be supplied at reasonable prices.

In offering to the public a larger stock of Books than has been seen in Fayetteville for many years, the subscriber confidently anticipates an increase of that liberal patronage which the public have extended to foster a respectable establishment of this kind in the chief commercial Town of North Carolina. No exertion will be spared to make it worthy of that patronage.

E. J. HALE.

April 8.

Circulating Library.

THE Subscriber is arrangining a few hundred volumes for the purpose of opening a Circulating Library, at his Book Store. Among the works are, a complete set of Harper's Family Library, in 53 vols. Harper's Classical Library in 6 vols. Library of Select Novels in 30 vols. Pelham Novels in 10 vols., &c.

New Works will be added every 3 or 4 weeks. Terms made known in a few days at the Store.

E. J. HALE.

April 8.

For Sale or Rent,

That two story Dwelling House on Rowan street, immediately opposite the residence of L. D. Henry, Esq., with all the necessary Out Houses, and one acre of ground. Possession will be given on the first day of June.

For terms, apply to

JOHN KELLY.

April 9. 27-3wpd.

NOTICE.

THE Subscriber having received the appointment of AUCTIONEER, has determined on closing his present business. He will therefore sell his entire Stock at Auction, without reserve; commencing on the 25th inst. It consists in part of the following articles:—

Sugar, Coffee, Iron, Steel, Nails, Molasses, Bacon, Corn, Oats, Salt, Bagging, Rope, Spice, Ginger, Paints, Oils, Dye Stuffs, Leather, Hardware and Cutlery, Dry Goods, Bonnets, Hats, Shoes, &c. &c.

Terms liberal and made known on day of Sale.

JONES FULLER.

April 8th, 1833. 27-ts

☞ The Constitutionalist, Raleigh, and Journal, Salisbury, will publish the above *till sale*, and send their account to this office for payment.

Miniature Painting.

MR. J. A. MOREIN having the intention of making but a short stay in this town, has the honor of offering his services to the public in his profession of Miniature Painting. No charges are demanded if the Likeness is not satisfactory. He has taken his residence at the Planter's Hotel.

April 9. 27tf.

Ravenscroft Academy.

IN consequence of having been compelled to reject several applications for admission into this Institution, and with a view to increase its usefulness, the Subscriber has determined, with the consent of the Trustees, to employ an assistant. This object he expects to effect by the commencement of the next session (15th of October.) As the Institution will continue to be, as heretofore, limited in number and select in character, all who desire to place their sons in it, will see the importance of immediate application. To obviate any objection with regard to health, a summer residence has been procured about two miles from town.

TERMS OF TUITION.

In the Classical and Mathematical Department, $40 per annum.

English Grammar, Arithmetic and Geography, $20 per annum.

Fuel, &c. 35 cents per quarter.

C. T. STUART.

April 3, 1833. 27-3t.

NEW AND FASHIONABLE GOODS.

THE Subscriber is just now receiving and opening his Spring and Summer

Assortment of GOODS,

Selected from the latest importations by himself in New York.

His friends and customers are respectfully invited to call and examine for themselves; satisfaction will be given as far as quality and price relates.

WILLIAM S. LATTA.

April 8, 1833. 27-6w

FURNITURE, &c.

Just received by Steam Boat Henrietta,

1 HANDSOME *MAHOGANA BUREAU,*

And a few dozen Flagg bottom and Windsor CHAIRS, For sale by

L. R. BRADLEY.

April 8, 1833. 27-tf

Notice.

MY Drawing School, a notice of which was published a few days ago, will not commence until the 29TH INSTANT.

HENRY H. WRIGHT.

April 8, 1833. 27-3w

New Store.

LEWIS & ROSS,

HAVE just opened, next door to Doct'r. Jordan's Drug Store (in Green Street, near Eccles' Bridge,) a new and splendid assortment of

Fancy and Staple

DRY GOODS,

AMONG WHICH ARE THE FOLLOWING:

Rich fig'd Gros de Naps,
Coloured Florence Silks,
Blk and blue blk Marceline do,
Sinchews and Sarsnetts,
New style printed Muslins,
Do do Ginghams,
Calicoes of all kinds, some extra rich,
Crape Cambler, a superior article, for Gentlemen's Coats and Pantaloons,
Merino Cassimere,
Light Merseilles Vesting,
Rich fig'd Silk do,
Cambric Jackonet and Swiss Muslins,
Plaid and corded Cambrics,
New and splendid emb'd Crape dress Hdkffs,
Do do printed do do do,
Do do Gause do do do,
Do do 5-4 Crape Shawls,
Do do 5 4 Sewing Silk, do,
White and green Gause Veils,
Ladies' plain and fig'd border Hdkffs and Gentlemen's Silk do,
Ladies' and Gentlemen's Gloves,
Hosiery of all descriptions,
4-4 and 6-4 bed Tick,
3 4, 4-4 and 5-4 unbleached Muslins,
4-4 and 5-4 bleached do,
Domestic Stripes and Plaids,
Twilled do and Granderills,
Cotton and Madrass Hdkffs.

—ALSO—

Ladies' Leghorn and Dunstable Hats; Men's Palm leaf do; Combs of all sizes; Gentlemen's white and Blk Satin Beaver Hats; Ladies' Kid Morocco and Prunella Slippers; Gentlemen's Pumps and Calf Boots; Gentlemen's Stocks and Collars. *Also*, a few trunks SUMMER CLOTHING—in a word, all articles that are necessary to complete a good and desirable assortment of Goods—all of which will be sold at wholesale or retail at the lowest prices for *CASH.*

L. & R. will be constantly receiving additional supplies to their present stock, and hope by strict and persevering attention to business, to merit a share of public patronage.

Fayetteville, April 7, 1833. §27-tf.§

Boot & Shoe Manufactory.

PELEG PEARCE,

Respectfully offers his thanks to his friends and former customers for the very liberal encouragement he has received the past year, and informs them that he still remains at his former Stand on Gillespie street, where he has on hand, a general assortment of

BOOTS AND SHOES,

Which he will sell low for cash. He has just received from Philadelphia, a good supply of Leather of the best kind, which will enable him to execute all orders in the neatest and most durable manner, at short notice. All kinds of repairing done on reasonable terms.

Fayetteville, April 9. 27tf.

Printing Office for Sale.

THE Subscriber offers for sale the whole of his PRINTING MATERIALS now in Washington. They consist of upwards of twenty different founts of type, from Brevier to eight line Pica; an excellent press; flowers, rules, leads, cases, chases, &c. &c., with appurtenances complete for carrying on the business. They are all in good order, and some of the type is but little worn.

The paper at present issued from the office has as good a patronage as any ever published in this place. To a person of industrious habits, acquainted with the business, and desirous of locating in this section of country, a desirable opportunity is now offered. A wish to engage in other pursuits, elsewhere, alone induces the present proprietor to dispose of the establishment.

The whole, if speedily applied for, may be had a bargain. GEO. HOUSTON, Jr.,

Editor of the Union.

Washington, N C., March 29, 1833

BLANKS

FOR SALE AT THIS OFFICE.

POETRY.

SELECTED FOR THE OBSERVER.

DEATH.

Death is here, and death is there,
Death is busy every where;
All around, within, beneath,
Above is death—and we are death.

Death has set his mark and seal;
On all we are and all we feel,
On all we know, and all we fear;
First our pleasures die—and then
Our hopes, and then our fears—and when
These are dead, the debt is due,
Dust claims dust—and we die too.

MODERN DICTIONARY.

Distant Relations.—People who imagine they have a claim to rob you if you are rich, and to insult you if you are poor.

Heart.—A rare article, sometimes found in human beings. It is soon, however, destroyed by commerce with the world, or else becomes fatal to its possessor.

Housewifery.—An ancient art, said to have been fashionable among young girls and wives; now entirely out of use, or practised only by the lower orders.

Wealth.—The most respectable quality of man.

Virtue.—An awkward habit of acting differently from other people. A vulgar word. It creates great mirth in fashionable circles.

Honour.—Shooting a friend through the head whom you love, in order to gain the praise of a few others whom you despise and hate.

Marriage.—The gate through which the happy lover leaves his enchanted regions and returns to earth.

Friend.—A person who will not assist you because he knows your love will excuse him.

Wedded bliss.—A term used by Milton.

Doctor.—A man who kills you to-day, to save you from dying to-morrow.

Lunatic Asylum.—A kind of hospital where detected lunatics are sent by those who have had the adroitness to conceal their own infirmity.

Water.—A clear fluid, once used as a drink.

Tragedian.—A fellow with a tin pot on his head, who stalks about the stage, and gets into a violent passion for so much a night.

Critic.—A large dog, that goes unchained and barks at every thing he does not comprehend.

Jury—Twelve persons in a box to try one or more at the bar.

Young Attorney—A useless member of society, who often goes where he has no business to be, because he has no business where he ought to be.

King's Evidence—A wretch who is pardoned for being baser than his comrades.

Sensibility—A quality by which its possessor in attempting to promote the happiness of other people loses his own.

My Dear—A expression used by man and wife, at the commencement of a quarrel.

A good sized Sheet of Paper.

At a dinner given on Monday evening last, by Mr. P. Dixon Hardy, to the workmen employed in his establishment, together with several individuals in the trade, who had exerted themselves on the occasion of the recent destruction of his printing office by fire; the table which was laid out in the composing room of the re-erected office in Cecelia st., was covered by a single sheet of paper, measuring in length one hundred and twenty-five feet, by five in breadth; such is the progress in the arts and manufactures.

Dublin paper.

The Sweep's Son.—A mechanic passing along with his saw and axe in his hand, came up with a master sweep talking familiarly with a smart looking boy: "Is that your son?" inquired the mechanic. "Yes," replied the other, "he is." "You don't surely intend making a sweep of that fine little fellow, do you?" "If he behaves himself well," rejoined the father "I shall; but if he is not a good boy, I will bind him apprentice to a carpenter, or some such trade."

The Milledgeville, Ga. Journal of the 7th ult. remarks:—"A *hurricane* passed through the adjacent counties last Friday. The only towns we have heard from are Macon and Monticello, where it unroofed houses, blew down chimnies, and killed, as we learn, several people. The plantations in Houston, Bibb, Munroe, and other counties are many of them entirely laid waste.

Life of a Gentleman.—He gets up leisurely, breakfasts comfortably, reads the papers regularly, dresses fashionably, eats a tart gravely, talks insipidly, dines considerably, drinks superfluously, kills time indifferently, sups elegantly, goes to bed stupidly, and lives uselessly.

JACKSON HOTEL.

Liberty Point,
FAYETTEVILLE, N. C.

THE Subscriber tenders his sincere thanks to the public for the very liberal encouragement he has heretofore received, and hopes by unceasing assiduty, to merit a greater portion of patronage. He akes pleasure in stating, that he has just erected a plendid Hotel on the spot where he formerly lived. His table, as usual, shall be supplied with the luxuries of the market; and his Bar furnished with Liquors and Wines, not inferior to any Public House in the place. His Stables are also new, well supplied with the best provender, and attended by careful and skillful Ostlers. His charges will be moderate.

WADDLE CADE.

November 27, 1832. §8-tf.§

CHEAP AND NEW GOODS.

D. MURCHISON,

RESPECTFULLY informs his friends and the Public, that he has just received from New York, a general assortment of

DRY GOODS,

HATS, SHOES, HARDWARE, CUTLERY, CROCKERY WARE, GROCERIES, &c, which he offers cheap for Cash, at his Store in Mac Rae's new Brick Buildings, corner Store, west of R. Maynard & Co.'s Medicine Store.

Oct. 8. 1-tf

Boots and Shoes.

THE Subscriber has received a part of his Fall Stock, well worthy the attention of Country Merchants, consisting in part of

500 pair men's thick BROGANS and SHOES,
300 do. do. calf and kip do. do.
300 do. boys' thick and L. & B. do. do.
500 do. Ladies' Morocco Walking Shoes.
1000 do do. do. Pumps, low price.

ALSO, constantly on hand,

Cotton and Wool Cards,
Wrapping, Writing, & Letter Paper.

AMOS KIMBALL.

Fayetteville, Nov. 6, 1832. 70tf.

GROCERIES.

15,000 Lbs. prime green and Rio Coffee,
10 hhds. good New Orleans Sugar,
A few barrels and half barrels of very superior brown Sugar,
100 kegs cut Nails and Brads,
150 sides sole Leather,
28 best quality Grindstones.

The above articles will be sold cheap for cash, or exchanged for Country produce, on very favorable terms.

WILLIAMSON WHITEHEAD.

November 13. §6-tf§

FISH!!

75 Barrels No. 1, 2, and 3 MACKEREL,
No. 1 SALMON, for sale by
WILLIAMSON WHITEHEAD.

December 24. 12tf.

Factorage and Commission BUSINESS.

THE Subscriber having large and commodious Warehouses in a convenient part of town, and so situated as to be almost entirely out of all danger by fire, would attend to any business connected with the above line on the usual terms, and hopes, by reason of the advantages he may possess in point of security against that destructive element, and his own exertions to give general satisfaction in all case where business is entrusted to him, to receive a share of public patronage.

HENRY HORN.

N. B. Country Merchants and others consigning Goods and Packages to my care from any of the Northern Cities, or any part of the Country, will meet with prompt attention in having them forwarded to any part of the State or the adjoining counties.

Fayetteville Jan. 1 1833. (1*) H. H

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25 Kegs cut NAILS assorted from 4d to 20d, just received and for sale by

J. MUNN

March 13. 71tf

NEW STORE.

THE Subscriber respectfully informs the public, that he has taken the Store lately erected by Mr. Hooper, on the south side of Person street, a few doors east of Market Square, where he is now receiving and intends keeping constantly on hand, a good supply of the following articles.

Prime green COFFEE,
St. Croix, Porto Rico and N. Orleans SUGAR,
Liverpool and Alum Salt,
Swedes and English Iron,
German and Blister Steel,
Molasses, Pepper, Spice and Ginger,
Nails, Powder, Shot and Lead,
Castings, Axes, Spades and Shovels,
Cotton Bagging, Bale Rope and Twine,
Trace Chains, Halters and Weeding Hoes,
Drugs and Medicines,
Loaf and lump Sugar, Copperas,
Window Glass and Putty; Bellows, Anvils, Vises,
Sole and upper Leather,

DRY GOODS,

CROCKERY, HATS AND SHOES.

COTTON AND WOOL CARDS, &c. &c.

Without further enumeration, his Stock comprises an assortment particularly adapted to the country trade, all of which he is disposed to sell at fair prices for cash or country produce, for which he will at all times pay the highest market prices.

WILL. O. JEFFREYS.

N. B.—Any Commission Business will also meet with prompt attention. W. O. J.

October 9. 1-tf.

FISH.

20 Boxes prime Cod FISH.
For sale by
A. KIMBALL.

November 13. §6-tf§

12,000 Lbs. prime green Coffee,
10 hhds. Sugar,
10 do. Molasses,

Just received and for sale low for cash or country produce, by

HENRY HORN.

January 15 15-tf

FRESH LIME.

200 Casks fresh Thomastown Stone LIME,
Just received, and for sale by
THOS. SANDFORD & CO.
COMMISSION MERCHANTS

Fayetteville, Dec. 18, 1832. 11-tf.

HADELOCK'S

Vegetable Powder for Diseases of the Lungs.

For sale at the Book Store of E. J. HALE.

The Subscriber

HAS just received on consignment, and offers for sale, Person street,

100 Casks fresh Thomastown LIME,
6 Hhds. good MOLASSES.

WILL. O. JEFFREYS.

December 10, 1832.

NEW GOODS.

C. P. MALLETT has just received his FALL & WINTER GOODS, consisting in part of

Super & common Cloths, Cassimeres & Sattinetts,
Domestic Sheetings and Shirtings,
Cotton Yarn, No. 5 to 10,
Dorchester Bedtick,
Domestic Ginghams,
French do., a variety of patterns,
Rowen Cassimere and Cantoon Cords,
Light fancy Calicoes and Prints,
Linen cambric and cotton Hdkffs.
Fancy palmerine and gauze do.
A general assortment of Drillings,
White, buff, and fancy Merseilles,
Circassian and Bombazets,
Cotton Ferrets and quality Binding,
No. 1, 2, 3 weeding Hoes,
Gilburt's and Taylor's Axes,
Hooks and Hinges—Trace Chains,
A good assortment of stock, plate and knob Locks and Latches,
Chest, drawer, cupboard and pad Locks,
Knives and Forks, and pocket Knives,
A general assortment of Carpenter's Tools,
Cotton and Manilla Cordage,
A supply of fine Hats, Shoes and Trunks,
Saddles, Bridles and Valisses,
Seidlitz and soda Powders,
Dye Stuffs, Paints and Putty,
Brown, fancy and maple Soap,
Opodeldoc, Preston Salts and Rose,
Cocoa, Mace, Cloves, and Cinnamon,
Race and ground Ginger,
Pine apple Cheese,
Bunch and bloom Raisins,
Window Glass 8x10 and 10x12,
Dupont's Powder, Lead and Shot,
Imperial and Hyson Teas,
Loaf and brown Sugar,
Coffee, Molasses, Salt, Iron, &c. &c.

Nov. 20. 7tf.

REMOVAL.

Dr. James H. Dickson,

HAS removed to the New Brick Building, on the East side of Green-street, directly opposite the Store of Messrs. Jno. Huske & Son, where he offers for sale on reasonable terms, for Cash, or approved credit, a General Assortment of

DRUGS and MEDICINES,
Shop Furniture, Surgical Instruments,
Paints, Oils, and Dye Stuffs,
Hatters' Materials,
Perfumery, &c.

October 15th, 1832. 2-tf

THE SUBSCRIBERS

WOULD beg leave to call the attention of their friends, and the public generally, to their *Entire New and Extensive Stock of Seasonable, Fancy and Staple*

DRY GOODS,

HARDWARE & CUTLERY,
Hats, Shoes, & Cotton Cards,
Foolscap and Letter Paper,

BLANK BOOKS, SPELLING BOOKS, &c. &c. Now opening at their Store, corner of Exchange Square and Hillsborough Street; which they offer on liberal terms, at WHOLESALE, exclusively.

Their Stock having been selected with care, from the late Sales in New York, they flatter themselves, they can offer inducements, making it worthy the attention of dealers generally. Among their Stock, will be found a

General Assortment of

Superfine Blue and Black Broad Cloths,
Kerseys and Sattinetts,
Brown and bleached Sheetings & Shirtings,
Super fancy and common Prints,
Red, white, and green Flannels,
Point, duffle, and rose Blankets,
Tickings and Checks,
Domestic Plaids and Stripes,
Plain and figured Book Muslins,
Plain and figured Cambric Muslins,
5-4 and 6-4 Jackonett Muslins,
Swiss Collars and Capes,
Bobbinett and cotton Laces,
Dunstable and Leghorn Bonnets,
Balls Cotton Yarn, &c. &c.

Together with a very great variety of Articles, too numerous to particularize in an advertisement.

HALL & JOHNSON.

Fayetteville, Nov. 12, 1832. 6-tf

THE SUBSCRIBERS

ARE now receiving direct from N. York, their Fall supply of GROCERIES, which comprises a very general assortment of every article in their line.—Their stock will in part comprise the following articles, viz.

38 hhds. P. Rico } SUGARS,
20 bbls. loaf and lump }
30 hhds. prime retailing Molasses,
10 ½ chests Imperial } TEAS,
14 ¼ do. Gunpowder and Hyson }
165 bags prime green } COFFEE,
20 bbls. do do. }
120 ps. heavy 42 inch Cotton Bagging,
100 coils Bale Rope,
42 bags Pepper, Spice and Ginger,
55 boxes Tin Plate,
85 boxes Window Glass,
250 kegs cut Nails,
60 tons Swedes and English Iron,
15 bundles hoop and band Iron,
16 ditto German and cast Steel,
150 bags Shot, assorted Nos.
2000 lbs. bar Lead,
75 kegs Dupont's Powder,
3 ceroons Spanish Flotant Indigo,
5 hhds. green Copperas,
60 kegs White Lead,
20 bbls. Tanner's and Lamp Oil,
20 doz. grass and bramble Scythe Blades,
10 do. patent rivetted and Cutting Knives,
Liverpool and Alum Salt.

With a general assortment of Patent Medicines, Hatter's Materials, &c. &c.

HALL & JOHNSON.

Fayetteville, Nov. 12, 1832. 6tf.

Just Received,

10 Hhds. prime SUGAR,
15 bags COFFEE,
60 kegs Nails and Brads,
200 sacks Liverpool Salt,
25 barrels Mackerel,
25 half bbls. do.
5000 lbs. choice Bacon, for sale by

CASWELL S. BRAY.

July 10. 88-tf

SHOES, &c.

50 Cases now landing, consisting of a general assortment fresh from the manufactories, suitable for the country trade

—ALSO—

200 Reams Wrapping Paper.

A. KIMBALL.

November 19. §6-tf.§

NOTICE.

THE Subscriber begs leave to inform his friends and the public that he has now on hand and is receiving a general assortment of

GOODS,

In the Store of the late Thomas Fuller, and requests all those wishing to supply themselves with the following articles to call and examine his stock, as he intends to sell at the lowest market price for cash or produce:—

15 Hhds. SUGAR, Porto Rico and New Orleans,
5000 lbs green St. Jago Coffee,
15 tons Swedes and English Iron,
German, Blistered and Cast Steel,
192 pieces heavy Dundee and Tow Bagging,
100 coils Bale Rope,
200 sides best sole Leather,
500 lbs. Harness Leather,
300 lbs. Skirting and Bridle Leather,
50 Hhds. bright retailing Molasses,
600 bushels Alum Salt,
600 bushels Cadiz do.,
126 sacks Liverpool do.,
50 kegs Nails and Brads,
10 bags Spice,
5 do Pepper,

An assortment of Dry Goods, Shoes, Hats, Bonnets, Hardware, Cutlery, Blacksmith's Tools, Cotton and Wool Cards, ready made Clothes and Cloaks, Paints, Oils and Dye Stuffs, Loaf Sugar, &c.

JONES FULLER.

October 29. §4-tf.§

BONNETS and HATS.

1 Case Tuscan BONNETS,
1 do Belgian ditto.
2 do Misses, assorted.

—*Also*—

30 doz. Palm leaf HATS,

Received per Steam Boat Henrietta, and for sale by

AMOS KIMBALL.

January 8, 1833. 14-tf.

Travelling Trunks and Bags.

JUST received an assortment of Leather TRAVELLING TRUNKS and BAGS.

For sale by

A. KIMBALL.

November 13. §6-tf.§

THOMASTOWN LIME.

100 Casks, in good order, for sale by

JOHN HUSKE & SON.

August 6th, 1832.

Notice to Travellers,

FARE REDUCED.

THE Charleston Mail Coach, via Lumberton, Marion Court House, and Georgetown, leaves the Planter's Hotel every day at 2 o'clock P. M.

This Line has been greatly improved by the addition of new Coaches and several Teams of Horses. The time so arranged that Godfrey's Ferry and Pee Dee Swamp are crossed by day light: the Houses of accommodation are good.

Fare through $18. Apply for Seats, or further information, at the Planter's Hotel

A. DOUGLASS, *Agent for the Proprietor.*

N. B. All Baggage and Parcels at the risk of the owners.

December 10. 10tf.

Sugar and Coffee.

JUST RECEIVED AND FOR SALE,

St. Croix and New Orleans SUGARS, in hhds.
Porto-Rico ditto, in bbls
5 bags sup. old white COFFEE, for family use.

JOHN MUNN.

April 17. 76tf.

New Goods.

THE Subscriber informs the public that he is now receiving a large stock of DRY GOODS of every description, which is offered to the public at very reduced prices; having been bought mostly at the New York package sales, they will be sold extremely low, Merchants from the country, will do well to call and examine them. Among the Goods are super blue, black, olive, brown, bottle green and mixt Cloths, Sattinets, Cassimeres Cassimets, Drillings, Merino, Cassimeres, Merino Cloths, imitation Merino Cloths, Brochelles, Lastings, Princettas, Nankeens, Moleskins, Bangup Cords, French Drills, Clark's spool Cotton, a great variety of fancy Prints, newest style, 4-4 and 6-4 Ginghams, 4-4 Parisian Prints, Parisian Muslins, Swiss Muslins, cross bar'd Muslins, Mull Jaconet and Book Muslins, Swiss Capes and Pelerines, lace Capes and Pelerines, 5-4, 4-4 and 3-4 Shirtings and Sheetings, 4-4 Irish Linens, Long Lawns, Linen Cambrics, and Linen Cambric Handkerchiefs, 5-4 Irish Sheeting, 8-4 table Diaper, Russia Diaper, Merseilles and other Vestings, Palm leaf Hats, scarlet merino square and long Shawls, Leghorn and Dunstable Bonnets, Shoes, Carpetings.

SILKS.

Gros-de-Swiss, Italian Lustrings, Gros-de-Berlins, Gros-de-Naples, blk. Sinchews and Sarsnets, white, pink and green Florences, rich Vestings, rich Garniture and belt Ribbons, fancy gauze Handkerchiefs and Scarfs, Nankin Crape Shawls, Nankin Robes, rich fig'd Silks, Barege and Palmerines, ladies' fancy Work Bags, ladies' Cravats, bandanna Handkerchiefs, &c &c., together with many other articles too tedious to enumerate.

JNO. McARN.

April 24, 1832. 77-tf.

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400 Sacks of blown SALT, for sale by

W. WHITEHEAD.

January 15. 15tf.

Sugar and Coffee.

JUST received, by the late arrivals, the following GOODS

Which we offer on very accommodating terms:-

10 Hhds. Porto Rico and New Orleans Sugars, bright and a good grain,
3 do. and 10 bbls. Copperas,
2 do. Jamaica 4th proof Rum,
30 bags high scented Rio Coffee,
20 do. Porto Rico do.,
35 do. St. Domingo do.,
10 bbls. Jamaica do.,
10 Bags Pepper and Spice,
5 quarter Cassia Sweet Malaga Wine,
5 do. Marseilles Madeira do.,
3 do. Teneriffe do.,
50 Kegs Cut Nails, assorted,
20 bbls. N. E. Rum,
10 do. Apple Brandy, very prime,
Cotton Bagging, Saltpetre, Alum and Madder.

WILLKINGS & CO.

Fayetteville, October 22, 1832. §3-tf§

Factorage and Commission BUSINESS.

THE Subscriber having *for the present*, opened an Office at his Dwelling House, on the corner of Dick and Russell streets, and provided himself with Warehouses in Campbellton, is prepared to carry on his business as usual.

All kinds of Produce received and sold or forwarded, as may be directed. Goods and Merchandize received and forwarded, together with all other business pertaining to a general commission agency.

He will also attend to the offering for discount, renewal and payment of notes at the different Banks in this place, *to which branch of his business he will pay particular attention,* and flatters himself, that from his general knowledge of the business of the place, he will be able to give satisfaction to his employers.

JOSEPH BAKER.

HENRY HORN

OFFERS for sale, at the store recently occupied by Mr. W. Whitehead, East of the Planter's Hotel,

50 Bags prime green Coffee
10 hhds Porto Rico and New Orleans Sugar
10 do. prime retailing Molasses
3 do. Syrup for family use
2000 bushels Liverpool Salt
500 sacks do do
Alum, Cadiz and Blown do
100 kegs cut Nails and Brads, assorted
12 tons Swedes and English Iron, assorted
Sheet and Hoop Iron
German, blistered and cast Steel,
75 sets Wagon Boxes
600 pieces Castings, assorted
1600 lbs. Cotton Yarn
1000 lbs Bar Lead
40 bags buck and drop Shot
15 kegs Orange and Dupont's FFF Powder
Pepper, Spice, Race and Ground Ginger, Imperial and Hyson Tea, Loaf and Lump Sugar, Epsom and Glauber Salts, Salt Petre, Alum, Indigo, Madder, Spanish Brown, Pearl Ash, Window Glass, Candles, Writing and Wrapping Paper, Cotton and Wool Cards, Wool and Fur Hats, Cotton Bagging, Bale Rope and Twine, Blue Wire, Trace Chains, Frying Pans, Spades and Shovels, Scythe Blades, Cutting Knives, Stone Jugs, Bar Soap, and Starch,

DRY GOODS,

Hardware and Cutlery.

Together with a number of other articles too tedious to mention; all of which will be sold low for cash or country produce. The highest prices will be paid for country produce.

Nov. 6. 5-tf

NEW FALL AND WINTER GOODS.

P. DALLEY,

IS now receiving from New York and Philadelphia, his Fall and Winter supply of Goods, which consists of

DRY GOODS,

Groceries, Hardware & Cutlery,
HATS, SHOES, IRON, HOLLOW WARE, &c. &c. &c.

All of which he will sell on the most reasonable terms. Country Merchants and others, are invited to call and examine for themselves.

N. B. A good assortment of ANCHOR BOLTING CLOTHS, kept constantly on hand.

15th Oct., 1832. 2-tf

Factorage and Commission BUSINESS.

THE Subscriber having commenced the above business, solicits a share of patronage. All kinds of Produce received and sold or forwarded as may be directed. Goods and Merchandize received and forwarded, together with all other business appertaining to a general Commission Agency.

DANIEL DICKSON.

Wilmington, N. C Sept 21st 1832. 99-tf

IMPORTANT

To Physicians, and Dealers in Medicines.

R. MAYNARD & CO.,

WHOLESALE DRUGGISTS,
Person-Street, opposite Willkings & Co.,

ARE now receiving a large and general Assortment of DRUGS, MEDICINES, PAINTS, DYE STUFFS, & HATTERS' MATERIALS, &c. Their Stock is by far the largest that has ever been offered in this Market, and which they warrant to be genuine, and are determined to sell at the lowest possible terms. Physicians and Country Merchants are invited to call and examine their stock. Orders will be promptly attended to. Prescriptions from Physicians put up at the shortest notice.

Oct. 1. 800-tf

The Subscriber,

OFFERS for sale at the Store recently occupied by Mr. O. P. Stark—

8 Hhds and 12 bbls good Sugar,
15 bags Coffee,
10 hhds Molasses,
7 tons assorted Iron,
50 kegs Nails,
40 pieces good Hemp Bagging, 42 inches wide,
25 coils of Bale Rope,
100 lbs. Twine,
Sole and Upper Leather,
Bar and Sheet Lead,
Dupont's Gun Powder,
German and Blistered Steel,
Copperas, Spanish Brown and Alum,
Pepper, Spice and Ginger,
Saltpetre and Pearlash,
Gum Shellac and Logwood,
Superfine Flour, and Bacon,
Salt of different qualities, some as low price as 25 cents per bushel.

W. WHITEHEAD.

Oct. 15. 2-tf

NEW FIRM.

THE Subscribers respectfully announce to their friends and the public, that they have purchased the Stock of Goods of Mr. *Duncan Smith,* and intend conducting the Tailoring Business under the Firm of

SMITH, McDONALD & CO.

two doors south of Market Square, where they request all to come and examine for themselves.

Their Stock consists of a very general assortment of Blue, Black and Olive Saxony CLOTHS, CASSIMERES assorted, superiur quality, best plain and figured VELVETS, VESTINGS, CAMLETS, and all necessary TRIMMINGS, of the best kind. Also, a great variety of Sewing and Darning NEEDLES, BODKINS, ect. They pledge themselves to dispose of their Goods at the most moderate prices, and all Work entrusted to them will be done neatly and in a workmanlike manner.

DANIEL SMITH,
JNO. MAC DONALD.
ARCH'D JOHNSON.

June 5, 1832. 83-tf.

Cape Fear & Yadkin Rail Road.

PURSUANT to the provisions of an Act of the Legislature of North Carolina, entitled "An Act to incorporate the Cape Fear and Yadkin Rail Road Company," the undersigned Commissioners, appointed by the said Act, *Give Notice,* That Books for Subscription to the Capital Stock of the said Company will be opened at the Court House on Tuesday the 8th instant, and continued open at the Bank of Cape Fear in Fayetteville, after that day until farther notice.

DUNCAN MAC RAE,
J. W. WRIGHT,
JOHN H. HALL,
ROBERT STRANGE,
ALEXANDER ELLIOTT. } Commissioners.

Fayetteville, May 7, 1832. 79tf.

TAKEN UP

AND committed to the Jail of this County, a dark mulatto Negro Man, who says his name is Wm. Freeman, and that he is a free man. He is about 5 feet 8 or 9 inches high, 23 or 25 years of age. He has since acknowledged that his name is DEMPS, and that he belongs to Sam. Shaw of Wake County. The owner is notified to come forward, prove property, pay charges and take him away.

FREDERICK MOORE, *Jailer*

Fayetteville, Nov. 13. 6tf.

Five Dollars Reward.

STRAYED or stolen from the Subscriber on the 6th instant, a Hound DOG called [illegible] marked as follows: black back, white tail tipped with white, half ring on [illegible] low specks over his eyes, and a hole in the end of his right ear. The above reward will be given, with thanks for the Dog, or information that will lead to his recovery.

JNO. WALL

February 26.

FOR SALE,

119 KEGS WHITE LEAD, ground in Oil,
102 Gall. Lamp Oil,
2000 lbs. Glauber Salts,
200 lbs. Chloride Lime,
1 bale Hops,
1 carboy Aquafortis,
1 do Sulphuric Acid,
7 Hampers Black Bottles,
Linseed, Train and Sweet Oil,
Glass 8x10 and 10x12,
Ink Powder and Liquid Ink,
Noyes',
Red and coloured wafers,
Syrup Sassaparilla and Lime,
Swaim's Panacea, (genuine)
Indelible Ink,
Maccasar and Bear's Oil,
Peppermint and Boneset Do.
Chlorine Tooth-wash, a new article for cleansing the Teeth
Osborne's Superior Water Proof Blacking,
Superior Hair, Clothes, Hat and White-wash Brushes,
Surgeon and Dentist Instruments of quality,
Hull's, Eberlee's and common Shop Furniture, Crucibles, Evaporating Dishes,
Patent Medicines, (a large assortment)

ALSO,

Almonds, Raisins, Filberts & Pecan nuts.

R. MAYNARD & CO.

October 2.

NOTICE.

MR. DANIEL SUTHERLAND, is my Agent for the collection of Accounts due to me, with instructions to sue indiscriminately, by legal process, all who fail to pay on first application.

WM. L.

I OFFER for sale at my Store, the corner of Market Square, Person-st., wholesale and retail,

Sole and Upper Leather,
Skirting and Harness do.
Hog Skins,
Best Philadelphia Calf Skins,
Cochineal, Blue and Black Cloth,
Facing, Padding and Shoe Linen,
Common and Coarse Shoes, by the dozen or retail,
Fine and Wool Hats,
Shoe Thread, and Black Varnish,
Men's Shoe Lasts, assorted,

Together with a general assortment

LIME.

118 Casks of Thomastown, and Rhode Island white LIME, superior article just received and for sale by

E. L. & W.

January 2, 1832.

For Sale—*For Cash or Produce.*

6 Hhds. N. O. and Porto Rico SUGAR,
10 Bags Coffee,
50 Kegs cut Nails, assorted, from 4d to 20d,
Castings, a handsome assortment,
Heavy Trace Chains, Axes, Shovels,
Wool Cards, Wagon boxes, Swedes Iron, Copperas, Saltpetre, Madder, Indigo,

—ALSO—

AN ASSORTMENT OF STAPLE AND FANCY

Dry Goods,

MEN'S CLOAKS,

1000 bushels Liverpool and Alum Salt,

JOHN

December 4, 1832.

NOTICE.

JUST received, per Steam Boat Henrietta, the following Goods:

5 hhds prime Sugar,
8 bbls Tanners' Oil,
1 hhd best Winter Lamp Oil,
20 kegs White Lead, in Oil,
200 lbs Dry Do.
20 boxes 8x10 Window Glass,
2 tons Castings, assorted, some Kettles, Wagon Boxes, &c.
1 Ceroon best Spanish Indigo,
Spanish Brown, Epsom and Glauber Salts,
Ginger, Madder, Camphor, &c.

JONES

Nov. 27, 1832.

PLANTER'S HOTEL

R. COCHRAN, late of the Lafayette, has taken the large and commodious House known as the Planter's Hotel, at the foot of Hay Street, where he is prepared to accommodate Travellers and Boarders. The General Line is kept at the above Hotel, where all the Stages arrive at and depart from.

Fayetteville, June 1.

Specific for Ague and Fever.

THOMAS'S INDIAN MEDICATED

AN infallible remedy for Ague and Fever, and all diseases of the stomach, arising from a bad digestion. By experience, the surest and most convincing proof, it has been most satisfactorily proved the efficacy of this medicine, as a remedy for the above named complaints.

It has frequently been tried, in long standing cases of Ague and Fever, and has been attended with success. If resorted to on the first attack of the disease, one dose is sufficient.

Patients who use this medicine, will find it unnecessary to confine themselves, while using it, under the necessity of abstaining their ordinary diet, or suspending their usual attention to business.

When the stomach is surcharged with bile, a single dose of the **MEDICAMENT** will give immediate relief, as it cleanses the stomach of all morbid matter, and prevents all predisposition to headache, bad digestion and fevers, it will be found to be one of the most useful and convenient Spring and Summer Medicatives that can be resorted to.

For sale by

THOMAS COCHRAN,
North East corner of Market Square.

To the Public.

THE Subscribers do most cheerfully recommend *THOMAS'S INDIAN MEDICATED* for Agues and Fevers, having suffered much from that distressing complaint and found no other relief until they made use of that Medicine, which perfectly safe and gives immediate relief, according to directions.

ARCH'D SMITH,
NEILL McNAIR,
CASWELL S. BR[illegible]

July 9th, 1832.